

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5145 of 2024

Arising Out of PS. Case No.-342 Year-2023 Thana- SIRDALA District- Nawada

Niru Kumari Wife of Kamlesh Mistri Resident of Village - Bilarpur, Police Station - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sirdala P.S. Case No. 342/2023 registered under Sections 467, 468, 471, 420 and 120(B) of the Indian Penal Code lodged on 23.08.2023 by the informant, Sita Kujur.

3. As per the prosecution story, the informant, the CDPO, Sirdala alleged that the dismissed Anganbari Sevika, the petitioner herein had submitted the educational certificate which was found to be fake in the enquiry. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that she is a lady, had appeared in the exam, got the certificate and it is not known how it was found to be fake and she was not given any opportunity as already her livelihood has gone *inasmuch*



she was dismissed from service.

5.Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the fact she is lady, do not have criminal antecedent, already out of job and will be facing the trial, this Court is inclined to extend her the privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada in connection with Sirdala P.S. Case No. 342/2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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