

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9518 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Hemlata Kumari @ Guriya Devi W/O Arun Paswan Village- Kathdumar, Ps.
Simri Bakhtiyarpur (KANARIYA O.P.), Dist. Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Dinesh Maharaj, Advocate
	:	Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Yogesh Chandra Verma, learned senior
counsel appearing for the petitioner and Mr. Manoj Kumar,
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Bakhtiyarpur (Kanariya O.P.) P.S. Case
No. 486 of 2023, FIR dated 23.08.2023 registered for the
offences punishable under Sections 406, 420, 467 & 468 of
IPC.

3. The prosecution case as made out from perusal of
written report of Female Supervisor, Punita Kumari, in short,
is that the Collector/District Magistrate, Saharsa has disposed
of the Aanganbari Appeal Case No 17/2020 vide Memo No.



572 dated 03.06 2023 and he has observed in the said appeal that Smt. Hemlata Kumari, Anganbari Sevika No. 302, Ward No. 8, Village Kathmur, Block Sint Bakhtiyarpur has chained the appointment on the post of Anganbari Sevika using two different names bearing different date of birth and has committed forgery.

4. Learned senior counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. In fact the petitioner has not submitted any forged certificate with respect to her date of birth and in fact the petitioner is known with two names i.e. Hemlata Kumari and Guriya Devi and she has annexed the details of bank account which suggests that the petitioner is known as Hemlata Kumari and Guriya Devi and the petitioner has already challenged the order dated 28.07.2023 which was passed in Anganwari Appeal Case No.17 of 2020 in CWJC No. 13577 of 2023 which is pending for consideration and pursuant to the aforesaid order in Anganwari Appeal Case No.17 of 2020 the petitioner has been removed from the service in question.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.



6. Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur (Kanariya O.P.) P.S.Case No.486 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed



his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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