

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16230 of 2024

Arising Out of PS. Case No.-527 Year-2023 Thana- GRIYAK District- Nalanda

Sudha Kumari Wife of Anil Kumar Village Laljibigha p.s Islampur district
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar, Advocate
For the Vigilance	:	Mr. Arvind Kumar, Special P.P.
For the State	:	Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2024 Heard Mr. Purushottam Kumar, learned counsel for
the petitioner, Mr. Arvind Kumar, learned Special P.P. for the
Vigilance and Mr. Ajay Mishra, learned APP for the State.

2. The petitioner is apprehending her arrest
connection with Giriyak P.S. Case No. 527 of 2023, F.I.R. dated
07.12.2023 registered for the offences punishable under
Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code.

3. As per allegation in the FIR, petitioner has been
appointed as Panchayat Teacher on the basis of forged and
fabricated certificate.

4. Learned counsel for the petitioner submits that
pursuant to the direction passed in CWJC No. 15459 of 2014
(Public Interest Litigation), the present F.I.R. was instituted
against the petitioner and other similar situated co-accused



persons and as per allegation in the F.I.R. the petitioner has submitted forged certificate for appointment for the post of Panchayat Teacher. Learned counsel for the petitioner further submits that the petitioner has submitted the certificate which she has obtained from the competent Board/University and without verifying from the concerned University/Board the present F.I.R. was instituted against the petitioner and after lodging the present F.I.R. the petitioner has resigned from the post in question on 28.02.2024.

5. Learned counsel for the Vigilance as well as learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation that the petitioner has submitted the forged certificate for obtaining appointment for the post of Panchayat Teacher. .

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with



Giriyak P.S. Case No. 527 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

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

(3) 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 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.

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(Rajesh Kumar Verma, J)

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