

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33444 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- BUDDHACOLONY District- Patna

Jaya Varmani D/o- Jagdeesh Varmani R/o- Mohammadpur Po- Mahendru
Sultanganj Patna-6, P/A- Jagdeesh Varmani 187/237, Roshanbagh Holyday
Biscuit Khuldabag Ahmadganj Po- Allahabad Dist- Allahabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Mahtab Ahmad, Advocate
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Mahtab Ahmad, learned counsel appearing
on behalf of the petitioner and Mr. Manoj Kumar, learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Buddha Colony P.S. Case No. 53 of 2024, registered for
the offences punishable under Sections 419, 420, 467, 468 of the
Indian Penal Code.

3. It is alleged that in course of examination, the
Center Superintendent of the School has found that in place of
the petitioner one another person namely Rima Varmani who is
said to be the elder sister of the petitioner was appearing. On
verification of photographs, the candidate's photograph on
Admit card did not match with the Aadhar Card's photo. The



Centre Superintendent has found the case of impersonation leading to lodging of the FIR.

4. Learned counsel appearing on behalf of the petitioner contended that in fact, on account of suspicion the present FIR has been instituted as both the petitioner and Rima Varmani are full sisters and they were preparing for examination. But, because of the ill health of the petitioner, she could not appear in the examination, but this is the fact that she had never allowed anyone, much less her sister to appear in her place. It is further contended that the petitioner is a married lady having a small child in her lap and as such, sending her behind the bar would not serve any purpose. Moreover, she undertakes that she will fully cooperate in the investigation and in the proceeding of the Court. It is lastly contended that the co-accused Rima Varmani has already been allowed bail by the learned court below.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submitted that the complicity of the petitioner in the present crime cannot be denied as she was the only beneficiary.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner



is a lady having a small child in her lap and apart from the fact she is having fair antecedent, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Buddha Colony P.S. Case No. 53 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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