

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44212 of 2024

Arising Out of PS. Case No.-190 Year-2021 Thana- DARBHANGA District- Darbhanga

Babita Kumari Daughter of Ashok Kumar Yadav Wife of Rajesh Kumar Yadav, Resident of village - Bahuarba, Ward No.- 6, Police Station - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Asha Devi,m A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending her arrest in connection with Town P.S. Case No. 190 of 2021 registered for the alleged offences under Section 419 & 420 of the Indian Penal Code.

03. As per prosecution case, the aunt of the petitioner appeared at the time of document verification for appointment of teachers.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. None of the offences mentioned in the FIR are applicable against the petitioner. During counselling for the appointment of teachers the petitioner was at a far away place and could not appear before



the authorities. There is no allegation that someone impersonated her during examination or wrote the examination on her behalf. It so happened that as the petitioner was unavailable and was not in a position to appear before the counselling authorities, the aunt of the petitioner appeared along with the documents and it is not a case of impersonation. The petitioner has been given benefit of Section 41(1) of the Code of Criminal Procedure. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the nature of allegation and the probability of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned J.M.-1st Class, Darbhanga in connection with Town P.S. Case No. 190 of 2021, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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