

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37231 of 2024

Arising Out of PS. Case No.-419 Year-2023 Thana- SIKARPUR District- West Champaran

Babita Kumari Wife of Chhotelal Paswan Ram @ Chhotelal Pasawan
Resident of village - Mathiya, Police Station - Shikarpur, District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Shikarpur P.S. Case No. 419 of 2023, registered on 20.05.2023 for the offences under Sections 467, 468, 471, 420 of the Indian Penal Code.

3. As per prosecution case, the petitioner furnished two certificates, namely School Leaving Certificate and the certificate of Matriculation, having two different dates of birth and allegation against the petitioner is that she committed fraud and forged the document while submitting documents at the time of her employment as Anganwari Sevika.

4. Learned counsel for the petitioner submits that



the petitioner got job of Anganbari Sevika on the basis of certificate of matriculation which carries her true date of birth. As the date of birth was wrongly mentioned in the School Leaving Certificate, she has instituted a complaint case against concerned officials for committing error in making the entry in School Leaving Certificate. Making it as basis, a complaint has been made by one Nilam Kumari against the petitioner and on the basis of her complaint, the petitioner has been terminated from her job. But from the facts, it is apparent that there is no role of the petitioner in the whole occurrence as two different certificates were issued by the authorities over which the petitioner has no control. There is no allegation that any certificate was forged or any wrong information was furnished. Moreover, the petitioner got the job on the basis of matriculation certificate and there is no allegation that said certificate is forged or fabricated. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation and lack of material against the petitioner, let the petitioner above named, in the event of her



arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, Dist-West Champaran/concerned court in connection with Shikarpur P.S. Case No. 419 of 2023, subject to the condition as 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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