

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54448 of 2023

Arising Out of PS. Case No.-24 Year-2014 Thana- C.B.I CASE District- Patna

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Guriya Kumari @ Indu Devi @ Indal Kumari @ Indal W/O Anil Kumar @
Anil Kumar Yadav R/O Village/ Mohalla- Dalkawa, Ps. Sonbarsa, Dist.
Sitamarhi, Bihar

... .. Petitioner/s

Versus

The Union Of India Through The Superintendent Of Police, C.B.I, Bihar
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Avinash Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Avinash Kumar Singh, Spl.P.P.,CBI
	Mr. Ambar Narayan, Advocate
	Mrs. Barkha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 04-03-2024 1. Heard learned counsel for the petitioner as well as
learned Special P.P. for the CBI.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 120B, 420, 467, 468, 471 of the IPC read with Section
13(2) read with 13(1)(d) of the P.C. Act.

3. The learned counsel for the petitioner submits that
petitioner has been implicated in the instant case with an
allegation that she secured appointment as Gramin Dak Sewak
based on forged and fabricated certificate of Bihar Sanskrit
Shiksha Board. It is next submitted that the FIR came to be
instituted based on an inquiry conducted behind her back.



4. It is further submitted that had an opportunity been given to the petitioner to explain her case perhaps the FIR would not have been instituted. It is further submitted that petitioner is a women and the FIR was instituted in the year 2014 and the petitioner till date is working. It is also submitted that specific pleading have been made at para-11 of the anticipatory bail application that the CBI after investigation submitted charge sheet which amply demonstrate that the CBI during the course of investigation never intended to arrest the petitioner. It is thus submitted that if petitioner was not arrested during the course of investigation and charge sheet has been submitted no useful purpose would be served by sending the petitioner to jail who is a lady.

5. The learned Special P.P. appearing on behalf of the CBI opposes the anticipatory bail application, but then is not in a position to rebut the submission of the learned counsel for the petitioner that the FIR is of the year 2014 and CBI after investigation submitted charge sheet and during the course of investigation the petitioner was not arrested.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with CBI/ACB P.S. Case No.RC024A/2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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