

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53806 of 2024

Arising Out of PS. Case No.-54 Year-2019 Thana- DHORAIYA District- Banka

Chandana Devi Wife of Pradip Choudhary @ Pradip Kumar Choudhary R/O-
Village- Jakha, P.S.- Dhoraiya, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey, Advocate
For the Vigilance : Mr. Arvind Kumar, Law Officer

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-09-2024 Heard Mr. Dhananjay Pandey, learned counsel for the
petitioner and Mr. Arvind Kumar, learned counsel for the
Vigilance.

2. The petitioner is apprehending her arrest in
connection with Dhoraiya P.S. Case No. 54 of 2019, F.I.R. dated
16.03.2019 registered for the offences punishable under
Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code.

3. Allegation against the petitioner is that being a
Mukhiya of the concerned Panchayat where appointment of one
Sudha Devi was done as teacher on the basis of forged and
fabricated certificate and the role of the petitioner was also in
the appointment of teacher Sudha Devi.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that as per



allegation in the F.I.R. that the petitioner at the relevant time was Mukhiya of the concerned Panchayat and she has not submitted report to the competent authority with respect to the certificate of the teachers. Learned counsel for the petitioner submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner had issued appointment letter on the basis of the certificate furnished by the concerned teachers.

5. Learned counsel for the Vigilance, on the other hand, opposed the prayer for anticipatory bail of the petitioner and submits and submits that as per Rule of business the petitioner is required to send certificate of the petitioner for verification and petitioner has not sent the certificate of the concerned teachers to the concerned University/Board.

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, Banka in connection with



Dhoraiya P.S. Case No. 54 of 2019, 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.

(Rajesh Kumar Verma, J)

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