

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58684 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- GHOGHARDIHA District- Madhubani

PUNITA DEVI D/O PARMESHWAR YADAV R/O VILLAGE- WARD
NO. 14, BANRAJHULA, P.S- GHOGHARDIHA, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. THE VIGILANCE INVESTIGATION BUREAU, BIHAR, PATNA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 27-02-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Ghoghardiha PS case no. 48 of 2023, disclosing
offences punishable under Sections 420, 467, 468, 471, 120(B)
of the Indian Penal Code.
3. The prosecution story, as per the First Information
report, is that the petitioner has obtained employment on the
basis of fake certificates.
4. Learned Counsel for the petitioner submits that the
petitioner had not submitted the forged mark-sheet before the
employment unit at the time of employment rather the original
mark-sheet was submitted by the petitioner, which is annexed at



Annexure-2 to the present petition. It shows that the petitioner has obtained total 558 marks securing 1st class having Roll no. 29 in the Madhyama Examination, 1992, conducted by Bihar Sanskrit Examination Board, Patna. It is further submitted that in fact, the correct mark-sheet of the petitioner was not handed over to the Vigilance Enquiry team and the present Headmaster, due to oblique motive and having inimical terms with the petitioner, has handed over the fake mark-sheet of the petitioner to the Vigilance team.

5. On the other hand, learned counsel for the Vigilance, referring to the counter affidavit, submits that certificate produced at the time of employment/ appointment, by the petitioner, was handed over in a folder by the District Education Officer and not by the Headmaster. He further submits that in the folder, the certificate/ mark-sheet produced by the petitioner was kept and upon verification from the Bihar Sanskrit Examination Board, it has been reported that the mark-sheet produced by the petitioner, having Roll no. 403, is fake. Bihar Sanskrit Examination Board has stated that the certificate incorporating Roll no. 403, Roll code-184 having marks 562 i.e. 1st Division, has not been issued by the Bihar Sanskrit Examination Board and in the remark column, it has



been mentioned that “In GTR and RTR only roll no. up to 402 has been allotted to the students” and therefore, the certificate/ mark-sheet submitted by the petitioner has been marked as fake by the Bihar Sanskrit Examination Board. He also submits that the petitioner is still working as a Panchayat Teacher.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that on the basis of an order, passed by this Hon’ble Court in a Public Interest Litigation bearing C.W.J.C. no. 15459 of 2014, in which, this Court has ordered for vigilance inquiry to find out the genuineness of the certificate of Niyojit Teachers in the State of Bihar, the inquiry was conducted by the Vigilance Department and in the said inquiry, it has been found that the petitioner has obtained employment on the basis of forged and fabricated mark-sheet/ certificates. Accordingly, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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