

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67767 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- HIRAMMA P.S. District- Sheohar

Rabia Khatoon Daughter of Hazi Baliur Rahman, R/o Village- Sugia Katsari,
PS- Sheohar, Dist- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Vigilance Investigation Bureau, Bihar at Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-03-2024 Heard Mr. Rakesh Kumar Soni, the learned counsel

for the petitioner and Mr. Ajay Mishra, the learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in

connection with Hiramma PS Case No. 55 of 2023, FIR dated

15.06.2023, registered for the offences punishable under

Sections 420, 467, 468, 471 and 120(B) of the Indian Penal

Code.

3. According to prosecution case, upon direction of

this Hon'ble Court, during verification of the certificates of

teachers, the experience certificate of the petitioner was found to

be forged. It is further alleged that the petitioner has used a



forged and fabricated experience certificate for her appointment on the post of Block Teacher.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. The allegations levelled in the FIR are false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that as per the direction of this Hon'ble Court passed in CWJC No. 15459 of 2014, the present FIR has been instituted against the petitioner and other similarly situated co-accused persons and it has been found that the petitioner had submitted her false experience certificate at the time of obtaining job in the school on the post of block teacher. He further submits that the petitioner had furnished all the certificates which she had obtained from the competent Board/University and she was not aware whether such certificate was issued by the competent person or not and the similarly situated co-accused persons who have been implicated pursuant to the order passed in CWJC No. 15459 of 2014 have been granted anticipatory bail in Cr. Misc. No. 40001 of 2017, Cr. Misc. No. 40772 of 2017, Cr. Misc. No. 43031 of 2017, Cr. Misc. No. 6039 of 2018, Cr. Misc. No. 61223 of 2018, Cr. Misc. No. 29298 of 2020, Cr. Misc. No.



9154 of 2021 and Cr. Misc. No. 41490 of 2022 vide orders dated 01.09.2017, 21.09.2017, 21.09.2017, 02.02.2018, 05.10.2018, 09.12.2020, 10.01.2022 and 04.11.2022 respectively and the case of the petitioner stands on similar footing.

5. The learned counsel for the Vigilance Bureau and the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has intentionally filed the forged certificate for obtaining the job in question.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and several similarly situated co-accused persons have been granted bail, let the petitioner, above-named, in the event of her arrest or surrender before the Court below, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar, where the case is pending in connection with **Hiramma PS Case No. 55 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:



(i). 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.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). 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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