

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63388 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Sudha Pandey daughter of Shambhu Nath Choubey, r/o Village Babhnauli,
P.S. - Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Vigilance Bureau : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-02-2024 Heard Mr. Sanjeev Kumar Singh, the learned counsel

for the petitioner, Mr. Arvind Kumar, the learned counsel for the

Vigilance Bureau and Mr. Ajay Mishra, the learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in

connection with Govindganj PS Case No. 298 of 2023, FIR dated

23.05.2023, registered for the offences punishable under Sections

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

3. According to prosecution case, the petitioner in

connivance with others has forged her certificates to obtain

appointment illegally.

4. Learned counsel for the petitioner submits that

petitioner has clean antecedent and she has falsely been implicated

in the present case. He further submits that pursuant to the



direction in CWJC No. 15459 of 2014, the present FIR is instituted against the petitioner and other similarly situated co-accused persons and as per the FIR, the allegation against the petitioner is that she has submitted the false certificate for obtaining the service in the State Government. He further submits that although, she has submitted the original certificate which she has received from the Competent University/Board and pursuant to the present FIR, she has been terminated from the post in question w.e.f., 28.12.2023.

5. Learned counsel for the Vigilance Bureau and the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has submitted the false certificate and it has come during investigation that the petitioner has submitted the false certificate of the Madhyama examination.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent, she is a lady and she has been terminated from the post in question, 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, Motihari, East Champaran, where the case is pending in connection with **Govindganj PS Case No. 298**



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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