

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77986 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- LAUKAHI District- Madhubani

SHUSHMA KUMARI Daughter of Pradeep Kumar Purbey R/o Village -
Naranpur, P.S.- Sakatpur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-03-2024 Heard Mr. Shashi Bhushan Kumar, learned counsel
for the petitioner and the State.

2. The petitioner is apprehending her arrest in connection with Laukahi P.S. Case No. 100 of 2023 for the offence under sections 420, 467, 468, 120(B), 471 of the I.P.C. lodged on 14.04.2023 by the informant, Satyendra Rai.

3. As per the prosecution story, pursuant to the High Court's order, the certificates of Teachers were enquired into and in course thereof, the certificate granted by this petitioner was found fake, thus the FIR.

the petitioner appointed as a Block Teacher in the year 2008 and she is working in Upgraded Middle School Chhatapur, Block Laukhi, District-Madhubani. The Experience certificate of the year 2008 memo 1031 dated 14.11.2008 of the petitioner verified by the office of District Janshiksha Officer Madhubani and after verification, this certificate found forge. It



is mention that in the year 2002, teacher appointment rule, weightage of experience certificate added 20 marks in merit list so the petitioner with connivance with unknown person manipulate the experience certificate with criminal conspiracy for appointment. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that although the certificates she submitted were genuine, on enquiry, the same has been found to be fake and as such, has been removed from service, FIR lodged, will be facing the trial.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also the fact that the petitioner is a lady, do not have criminal antecedent, FIR lodged and will be facing the trial, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani, in connection with Laukahi P.S. Case No. 100 of 2023 subject to the conditions as laid down under



Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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