

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75938 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- BANJARIA District- East Champaran

Ruby Kumari D/o Nagendra Rai, W/o Pawan Kumar Resident of Village -
Loknathpur, Katahan, P.S. - Motihari Muffasil, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Director General, Vigilance Investigation Bureau, Vigilance
Department Govt. of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Adv.
For the State	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Paritosh Primal, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the Vigilance.

2. The petitioner has preferred the present Cr. Misc.
Application No.75938 of 2024 for grant of anticipatory bail in
connection with Banjariya P.S. Case No. 175 of 2024 registered
on 23.07.2024 for the offences punishable under Sections 467,
468, 471, 420 and 120(B) of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged
against the present petitioner against whom there is an
allegation that she has obtained her appointment on the post of
Prakhand Shikshak on the basis of a forged document.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that at the time of counseling, the petitioner has submitted her original and genuine certificate and mark sheet issued by Sanskrit Shiksha Board, Patna but, during the course of verification, surprisingly, the Sanskrit Shiksha Board submitted a report showing the certificate of the petitioner false and fabricated and due to this reason, the petitioner was terminated from her service.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that after the order passed by this Hon'ble Court in Civil Writ Jurisdiction Case No. 15459 of 2014, the amnesty scheme has been published twice, but the petitioner did not opt for the same and she continued to receive her salary.

6. In this background, this Court hereby grants anticipatory bail to the petitioner in the event of surrender before the Trial Court within a period of 12 weeks from today, subject to refund of the entire amount by the petitioner received towards salary from the date of amnesty period to the date of her alleged termination. The petitioner shall visit the District Education Officer, East Champaran, Motihari who shall provide



her a certificate showing how much amount she has to refund.
The petitioner shall not be arrested in connection with the present matter for 12 weeks from today. The trial Court on being satisfied that the petitioner has returned the entire amount to the State through the District Education Officer, shall release her on bail within the said period, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, East Champaran at Motihari in connection with Banjariya P.S. Case No. 175 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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