

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75551 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- RUPAULI District- Purnia

PUSHPA BHARTI DAUGHTER OF BIJENDRA PRASAD YADAV
EMPLOYED PANCHAYAT TEACHER, PRIMARY SCHOOL SUNIL
NAGAR, PANCHAYAT - VIJAY MOHANPUR, BLOCK - RUPAULI,
DISTRICT - PURNEA, PERMANENT RESIDENT OF VILLAGE -
LAUALAGAN, POST - ABHIRAMPUR, P.S. - CHAUSA, DISTRICT -
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-02-2024 Heard Mr. Raj Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection
with Rupauli (Mohanpur O.P.) P.S. Case No. 387 of 2022
instituted under Sections 420, 467, 468, 471, 120-B of the
Indian Penal Code lodged on 16.12.2022 by the informant,
Upendra Kumar.

3. Pursuant to the order passed in C.W.J.C. No. 15459
of 2014, enquiry regarding the employment irregularities of
Panchayat Teachers were taken on in which, it was found that
the certificates provided by this petitioner was also forged.
Accordingly, the FIR.



4. Learned counsel for the petitioner submits that though belatedly she has resigned on 21.12.2023 and is ready to face the trial, she being the lady sympathetic consideration is required.

5. Learned APP opposes the prayer stating that despite the amnesty given by the State, she continued in job.

6. Though there is force in the submission of learned APP, considering the fact that she is a lady, has already resigned, FIR lodged, will have to face the trial, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court 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 the like amount each in connection with Rupauli (Mohanpur O.P.) P.S. Case No. 387 of 2022 to the satisfaction of learned J.M.-1st Class, Purnea subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

(v) 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.

(Rajiv Roy, J)

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