

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81173 of 2024

Arising Out of PS. Case No.-404 Year-2024 Thana- BRAHMPUR District- Buxar

Rabiya Parveen wife of Md. Nasim Ansari Resident of village- Lala Toli
Road, ward No 05, PS -Dumraon, District -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priyanshu Prakash, Advocate
		Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. M K Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Brahmpur P.S. Case No. 404 of 2024, registered for the offences punishable under Sections 316(4), 318(4), 319(2), 336(3), 339 and 340(2) of the Bhartiya Nyaya Sanhita corresponding to Sections 406, 419, 420, 468, 474 and 471 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that the petitioner by impersonation obtained the post of Teacher in Middle School, Bharkhar on the basis of forged and fabricated documents. It is alleged that the petitioner is *Jamila Khatun*, wife of *Md. Nasim Ansari* but by impersonating her as



Rabiya Parveen, has procured the appointment and wrongfully received the salary and other financial benefits.

4. Learned Advocate for the petitioner contended that in fact the person, who has lodged the complaint, with whom there was a serious litigating term; In support of the aforesaid contention, a complaint case instituted against *Mehdi Hasan* and his son, has already been brought on record by way of Annexure-2. It is next contended that, be that as it may, the FIR has been instituted in a hot haste manner without getting the matter inquired at the level of the State officials. It is also the contention of the petitioner that the petitioner is in fact *Rabiya Praveen* and all the documents, including Aadhaar Card, Pan Card, Voter Identity Card, Bank Passbook, the name of this petitioner is recorded as *Rabiya Praveen*, wife of *Md. Nasim Ansari*, but only in order to wreck vengeance, the complainant *Md. Mehdi Hasan* has instituted a false complaint, giving rise to the present FIR. The petitioner is a lady, having fair antecedent, she undertakes that she will fully co-operate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that there is a specific allegation of impersonation against the petitioner.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the FIR has been instituted without there being any enquiry at the level of the State officials, coupled with the fair antecedent and the petitioner being lady, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahmpur P.S. Case No. 404 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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