

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2769 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- BABUBARHI District- Madhubani

Sagari Devi D/O Uttim Mahto, Wife Of Ramashish Mahto R/O Village-
Khadagwani (Khanna Tol) (KHANUA Tol - In Fir), P.S.- Babubarhi, Dist.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vagisha Pragya Vacaknavi, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Banmankhi P.S. Case No. 249 of 2022, registered on 28.07.2022 for the offences under Sections 166, 217, 420, 467, 468, 471, 120B of the Indian Penal Code.

3. The allegation against the petitioner is that she got employment as Panchayat Teacher on the basis of forged document. She failed to avail amnesty scheme, which was in vogue for certain period under the orders of this Court passed in CWJC No.15459 of 2014.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is a lady and she was selected for the job after verification of all documents and certificate was issued by Bihar Sanskrit Siksha Board, which is stated to be fabricated, but the petitioner has no knowledge about the same. The case was registered against the principle of natural justice as the petitioner was not given an opportunity to rebut the claim that she submitted any forged document. Learned counsel further submits that no useful purpose would be served by putting the petitioner behind bar and she is ready to cooperate with the investigation and there is no possibility of tampering or doing anything of that sort. The petitioner is having clean antecedent. Learned counsel further submits that a large number of persons have been granted anticipatory bail by this Court vide order dated 10.01.2024, passed in Cr. Misc. No. 82276 of 2023, vide order dated 20.12.2023, passed in Cr. Misc. No. 65215 of 2023 and by a Coordinate Bench of this Court vide order dated 04.09.2023 passed in Cr. Misc. No. 54155 of 2023. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner submitted forged document.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and further grant of anticipatory bail to other similarly placed persons, the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 2nd Madhubani/concerned court in connection with Babubarhi P.S. Case No.189 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

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