

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1673 of 2024

Arising Out of PS. Case No.-638 Year-2022 Thana- RAJGIR District- Nalanda

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Anita Devi W/O Late Jawahar Lal Rajbanshi R/O Konark Nagar, Rajgir, P.S-
Rajgir, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2024 Heard Mr. Amresh Kumar Singh, learned counsel
for the petitioner and Mr. Ajay Mishra, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Rajgir P.S. Case No. 638 of 2022, F.I.R. dated
16.11.2022 for the offences punishable under Sections 406, 420,
467, 468, 471, 120(B)/34 of the Indian Penal Code.

3. According to prosecution case, name of the 5
candidates were added later in the form receipt register for
obtaining illegal employment.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case only on the ground that at the



relevant time of selection the petitioner was Mukhiya of the Panchayat in question and the allegation against her and other accused persons is that the name of the 5 candidates have not been uploaded in the NIC. He further submits that the petitioner being Mukhiya has not role at all in uploading the name of the candidates in the NIC and the petitioner is an illiterate lady.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rajgir P.S. Case No. 638 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient



reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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