

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84042 of 2023**

Arising Out of PS. Case No.-85 Year-2023 Thana- JAMALPUR District- Darbhanga

Pushpa Devi Wife Of Shri Navin Kumar Sharma R/O Village- Goramansingh,  
P.S.- Jamalpur (BARGAON O.P.), Dist.- Darbhanga. ... .. Petitioner/S

Versus

The State Of Bihar Through The Vigilance Investigation Bureau Patna.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, Spl. P.P.

: Mr. Paritosh Parimal, Advocate

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**

ORAL ORDER

4      18-04-2024                      Heard Mr. Abhay Shankar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Arvind Kumar,  
Spl.P.P., along with Mr. Paritosh Parimal, learned counsel  
appearing on behalf of the respondent.

2. The petitioner seeks pre-arrest bail in connection  
with Jamalpur (Bargoan O.P.) P.S. Case No. 85 of 2023  
registered for the offence(s) punishable under Sections 420, 467,  
468, 471, 120-B of the Indian Penal Code.

3. As per the allegation made in the FIR, the  
petitioner, on the basis of forged mark-sheet and other  
document, could get job as Panchayat Siksha Mitra in Middle  
School, Goramansingh Panchayat.

4. Learned counsel appearing on behalf of the  
petitioner submitted that the petitioner has tendered her  
resignation on 03.05.2023, however, he is not aware of the fact  
that, as to whether, her resignation has been accepted or she has



been terminated. He admits that in all such cases, where vigilance case has been lodged against the Panchayat Teachers, conditional bail order has been granted by this Court, subject to the termination or dismissal of such teachers and the petitioner has sought same parity in her case as well.

5. Mr. Paritosh Parimal, assisting counsel to Mr. Arvind Kumar, learned counsel for the respondent, submitted that the petitioner may be released on pre-arrest bail, subject to the condition that the District Programme Officer, Establishment, Darbhanga must furnish a report with respect to acceptance of resignation of the petitioner or whether the petitioner has already been terminated.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner was appointed as Panchayat Siksha Mitra, allegedly on the basis of forged testimonials and certificates and an information has been given on behalf of the petitioner that the petitioner has already tendered her resignation on 03.05.2023, it would be appropriate for the District Court to seek a report from the District Programme Officer, Establishment, as to whether, the petitioner has been removed from the post of Panchayat Siksha Mitra. **In case, the report is submitted well within a period of two weeks by the District Programme Officer, Establishment, Darbhanaga before the District Court, without fail and**



**information is given that resignation of the petitioner has been accepted,** the petitioner is directed to be released on bail in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned J.M., Benipur, Darbhanga in connection with Jamalpur (Bargoan O.P.) P.S. Case No. 85 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. In case, no reason is assigned by the District Programme Officer, Establishment then the District Court may take action against the District Programme Officer, Establishment for not having taken any action on the basis of resignation tendered by the petitioner.

8. Accordingly, the bail application stands disposed of.

9. Let a copy of this order be communicated to the District Magistrate, Darbhanga.

**(Purnendu Singh, J.)**

Ashishsingh/-

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