

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.295 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- ANDHRAMATH District- Madhubani

Nagma Khatoon D/o Md. Gulzar R/o village-Jatahi, P.S-Khutauna, District-Madhubani, presently posted as Panchayat Teacher at New Primary School, Dharahra Punarvas, Block-Laukahi, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Vigilance Department, Govt. of Bihar, Patna Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 16-04-2024 Heard Mr. Jitendra Kumar Bharti, learned counsel appearing on behalf of the petitioner and Mr. Ajay Mishra, learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in connection with Andhramath P.S. Case No. 166 of 2023 registered under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. The allegation against the petitioner is that she got appointment as Panchayat Teacher on the basis of forged and fabricated documents.

4. Considering the nature of allegation made against the petitioner, as well as, the fact that the petitioner is ready to file an affidavit before the District Court, along with an affidavit



that she has resigned from the post of Panchayat teacher, which she had allegedly secured on the basis of forged certificate, which was detected in the course of investigation by the Special Vigilance Unit, Bihar.

5. Considering that in similar cases, where the Panchayat teachers have been appointed on the basis of forged certificates, have tendered their resignation and have been terminated by the appointing authority or in alternative have been dismissed from the service, then in that case, such teachers have been released on pre-arrest bail.

6. The District Court is directed to seek report from the District Programme Officer (Establishment), Madhubani, with respect to the petitioner, who was appointed as Panchayat teacher on the basis of forged certificate and had served as teacher in the year 2014 at Primary School, Dharahra Punarvas, Block – Laukahi, District – Madhubani, has been terminated or steps have been taken by the authorities concerned to take action on the basis of the letter of resignation of the petitioner. **In case, the report is submitted well within a period of two weeks by the District Programme Officer (Establishment), Madhubani before the District Court, without fail and information is given that resignation of the petitioner has**



been accepted and the petitioner has been terminated from the service or has been dismissed from the service then in that case, the petitioner is directed to be released on bail in the event of her arrest or surrender before the learned District Court 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Andhramath P.S. Case No. 166 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, Madhubani.

(Purnendu Singh, J.)

Mantreshwar/-
Ashishsingh/-

U		T	
---	--	---	--

