

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3514 of 2024

Arising Out of PS. Case No.-165 Year-2023 Thana- ANDHRAMATH District- Madhubani

Lalita Devi D/o Shobhakant Yadav, R/o village Pipraun, P.S Laukahi, Distt.-
Madhubani.

... .. Petitioner

Versus

1. The State of Bihar.
2. Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shivnandan Bharti, Advocate
For the Vigilance Bureau	:	Mr. Arvind Kumar, Spl. PP
		Mr. Paritosh Parimal, Advocate
For the Opposite Party	:	Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2024 Heard Mr. Shivnandan Bharti, the learned counsel

for the petitioner, Mr. Arvind Kumar, the learned Special P.P. for
the Vigilance Bureau and Mr. Ajay Mishra, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Andhramath PS Case No. 165 of 2023, G.R.
No. 1761 of 2023, FIR dated 03.10.2023, registered for the
offences punishable under Sections 420, 467, 468, 471 and
120(B) of the Indian Penal Code.

3. According to prosecution case, an investigation for
valid educational document of contractual teacher was carried
out and upon investigation by BSEB, it was found that the



petitioner under conspiracy to obtain the job of Panchayat Teacher furnished forged education documents and obtained the said job.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that pursuant to the order passed in CWJC No. 15459 of 2014, the present FIR has been instituted against the petitioner and other similarly situated co-accused persons. He further submits that as per the FIR, the allegation against the petitioner is that she has filed forged certificate for appointment to the post of Panchayat Teacher. He lastly submits that although she has filed all the relevant documents which she has received from competent Board/University, and after duly verification of her documents, the petitioner has been appointed as Panchayat Teacher way back in 2014 itself, and she is ready to resign from the post of Panchayat Teacher.

5. The learned counsel appearing on behalf of Vigilance Bureau and the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has got appointment to the post of Panchayat Teacher on the



basis of forged and fabricated certificate.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and she is ready to resign from the post of Panchayat Teacher, let the petitioner, above-named, in the event of her arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani, where the case is pending in connection with **Andhramath PS Case No. 165 of 2023, G.R. No. 1761 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the trial Court.

(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 trial Court 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 trial Court 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.

(iv). Petitioner shall produce a resignation letter duly accepted by the competent authority at the time of furnishing her bail bond.

(Rajesh Kumar Verma, J)

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