

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9514 of 2024

Arising Out of PS. Case No.-296 Year-2018 Thana- EKMA District- Saran

Kiran Kumari W/O Ajit Kumar @ Ajit Prasad R/O - Village- Keshari, P.S. - Ekma, District- Saran.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Sanjay Kumar, learned counsel for the petitioner, Mr. Arvind Kumar, learned counsel appearing on behalf of the Vigilance as well as and Mr. Ajay Mishra, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Ekma P.S. Case No. 296 of 2018, F.I.R. dated 18.11.2018 for the offences punishable under Sections 419, 420, 409, 467, 468, 471 and 120B of the Indian Penal Code.

3. According to prosecution case, this petitioner has obtained service on the basis of forged and fabricated matriculation marksheet.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation against the petitioner that she has submitted manipulated marksheet at the time of her appointment as a Shiksha Mitra/Panchayat Teacher. He further submits that vide office order dated 18.01.2019 the petitioner has been removed from the post in question. He further submits that the petitioner has not submitted any false and fabricated document before the authority concerned.

5. The learned counsel appearing on behalf of the Vigilance as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has submitted forged and fabricated certificate for obtaining the service in question.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and she has been removed from the service in the year 2019 itself, 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 Additional Chief Judicial Magistrate V, Saran at Chapra in



connection with Ekma P.S. Case No. 296 of 2018, 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 his absence on two consecutive dates without sufficient reason, his 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 his 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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