

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15154 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- BANJARIA District- East Champaran

Ekra Fatima @ Iqra Fatima Daughter of Md. Salauddin Resident of Opposite
P.U. Library, Data Pirbahore, P.S. - Pirbahore, District – Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rajesh Kumar Son of Late Ram Lakhan Chaudhary Deputy Superintendent of Police, Vigilance Inquiry Bureau, Patna, Resident of Village - Dopatta, P.O. - Baksanda, P.S. - Rajauli, District - Nawadah

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Abu Haidar, Advocate Mr. Md. Abu Shajar, Advocate
For the Opposite Party/s	:	Mr. Anil Singh, Spl. PP, Vigilance Mr. Paritosh Parimal, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-05-2025 Heard learned Counsel for the petitioner and learned
counsel for the Vigilance.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 467, 468, 471, 420, 120(B) of the Indian Penal Code.

3. The allegation in the F.I.R. is that the petitioner was appointed as a Block Teacher under Urdu category by the Executive Officer cum Block Development Officer of Block Banjariya East Champaran. The petitioner has been working in the said department on the basis of forged and fabricated experience certificate. It has been further stated that she did not resign under the amnesty period and was subsequently terminated from service.



4. Learned counsel for the petitioner submits that the allegations on the petitioner is not of procuring the job on the basis of fake and fabricated mark sheet etc., but there is only an allegation of a fake experience certificate produced by the petitioner. However, it has also been submitted that the said certificate is sub judice before the District Teachers Appointment Appellate Authority *vide* Case No.21 of 2023-2024 and moreover, the service of the petitioner and others have been terminated on 18.09.2024 by a common order. It has also been submitted on behalf of the petitioner that the present F.I.R. has been lodged after more than 14 years as she had been appointed in the year 2010 and her services have now been terminated along with the service of others. Learned counsel for the petitioner has drawn the attention of the Court to the case of other similarly situated accused persons, who have been granted the privilege of anticipatory bail in similar circumstances. The orders dated 18.03.2025 in ***Cr. Misc. No.385 of 2025***, order dated 08.05.2025 in ***Cr. Misc. No.994 of 2025*** and order dated 11.02.2025 in ***Cr. Misc. No.90176 of 2024*** have been referred to.

5. Learned counsel for the Vigilance, however, opposes the prayer for anticipatory bail application on the



ground that the initial appointment of the petitioner itself was based on fake and forged experience certificate and hence, she does not deserve the privilege of anticipatory bail. He has also pointed out that the petitioner did not resign under the Amnesty period as directed by the Hon'ble High Court and subsequently, her services had been terminated.

6. Taking into consideration the above facts and circumstances and also considering that the other similarly situated accused persons have been granted bail, let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Banjariya P.S. Case No.217 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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