

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23055 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- SACHIVALAYA District- Patna

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Ruby Kumari, female, aged about 32 years, Wife of Babbu Kumar Sah,
resident of Village - Sarairanjan, P.S. - Sarairanjan, District - Samastipur
(Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deputy Secretary, Bihar Technical Service Commission Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhubneshwar Mahto, Advocate
For the O.P. No. 2	:	Mr. Akshansh Shankar, Advocate
For the State	:	Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-08-2025 Heard Mr. Bhubneshwar Mahto, learned counsel

appearing on behalf of the petitioner; Mr. Akshansh Shankar,

learned counsel for the Bihar Technical Service Commission

and Mr. Yogendra Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection

with Sachivalaya P.S. Case No. 176 of 2024, registered for the

offence punishable under Sections 318(2) and 336(3) of the

B.N.S.

3. As per the allegation made in the FIR, the

petitioner, pursuant to the advertisement no. 01/2019, had

applied for the post of junior engineer having requisite

qualification, however, upon document verification, the

Commission had found some of the testimonials and other

documents furnished by the petitioner to be forged and



fabricated.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that the petitioner has not committed any forgery as has been alleged in the FIR. Petitioner was not aware of the fact that the University, from which she had completed her degree, had issued forged document. The irregularities, which have been found, as would appear from paragraph no. 13 of the counter affidavit filed on behalf of the opposite party no. 2, are mismatch of roll number of the petitioner mentioned in the provisional certificate with the roll number of the petitioner mentioned in the original certificate being E15DCEC007007 and SIU15C007007 respectively, as well as, mismatch of serial numbers on the sixth semester mark-sheet with the serial number on the original mark-sheet submitted during document verification being 4591 and 6230 respectively but on these grounds, the case of tempering cannot be alleged against the petitioner without implicating any of the officials of the concerned University. The petitioner being innocent, had produced testimonials, which were issued by the University from where, she had completed her degree. Petitioner has clean



antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned counsel appearing on behalf of the Bihar Technical Service Commission, in support of prosecution, referring to paragraph no. 13 of the counter affidavit submitted that the petitioner, with an intention to obtain job fraudulently, had submitted forged documents, which upon verification from the concerned university and the institution, has been confirmed to be forged and the bail application of the petitioner is fit to be rejected.

6. Learned APP for the State also supported the submission made on behalf of the opposite party no. 2 and has vehemently opposed the prayer for grant of pre-arrest bail.

7. Considering the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, which is against altogether twelve accused persons. In paragraph no. 13 of the counter affidavit filed on behalf of the opposite party no.2, it is specifically stated that certain irregularities have been detected. There is no reason, as to why, the petitioner will make any interpolation in the certificate issued by the University knowingly when she is prospecting to settle in her life and before proper verification is made, to



implicated the petitioner to face prosecution, would not be in the interest of justice. In such circumstances, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna, in connection with Sachivalaya P.S. Case No. 176 of 2024, **subject to the condition that petitioner will produce all the testimonials and documents before the learned district Court at the time of furnishing of the bail bonds and other conditions as laid down under Section 482(2) of the BNSS.**

9. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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