

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45030 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- Mabby District- Darbhanga

Madhu Kumari S/o- Dhaneshwar Roy R/o Village- Raipura Ps- Fatuha Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Madhumala Kumari, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-07-2025 Heard Ms.Madhumala Kumari, learned counsel for the petitioner and Mr.Uday Chand Prasad, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Mabbi P.S. Case No.30 of 2024, dated 07.07.2024 registered for the offences punishable under Sections 319(2),318(2),338,336(3),340(2),3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 10 of the Bihar Conduct of Examination Act.

3. Briefly stated, one Mala Kumari was caught red-handed while appearing in Central Teacher Eligibility Test, July 24, organised by CBSE, Delhi on 07-07-2024 at Darbhanga Centre. She was appearing in the examination in



place of her sister Madhu Kumari (the petitioner) and became suspect after mismatch of bio-metric thumb impression.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR, one Mala Kumari, who happens to be the sister of the petitioner, was caught red-handed while appearing in Central Teacher Eligibility Test, July, 2024 organised by CBSE. As per allegation in the FIR, her sister wrote examination in her place but she has caught red-handed by the authority concerned. Learned counsel for the petitioner submits that the petitioner has no knowledge whether her sister was appearing in the examination or not and the petitioner was ill so she has not appeared in the examination in question.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and petitioner has clean antecedent, let the petitioner, above named, in the event of her 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 learned Additional Sessions Judge-III, Darbhanga in connection with Mabbi P.S. Case No.30 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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)

Nitesh/-

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

