

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64811 of 2024

Arising Out of PS. Case No.-564 Year-2023 Thana- NOORSARAI District- Nalanda

Kaushilya Kumari Wife of Satish Kumar Village- Dharahra, S- Silao, Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Superintendent of Police, Vigilance Dept. Govt. of Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Om Prakash Prasad, Advocate
For the State	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Spl.P.P.
		Mr. Paritosh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2025 Heard Mr. Om Prakash Prasad, learned counsel for the petitioner, Mr. Arvind Kumar, learned counsel appearing on behalf of the Vigilance as well as Mr. Ajay Mishra, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Noorsarai P.S. Case No. 564 of 2023, F.I.R. dated 29.11.2023 for the offences punishable under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused persons have obtained employment fraudulently by means of forged documents.

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



implicated in the present case. Pursuant to the order passed in CWJC No. 15459 of 2014 (P.I.L) the present F.I.R has been instituted against the petitioner and other similar situated persons. He further submits that without verifying the genuineness of the certificate of the petitioner the present F.I.R has been lodged against the petitioner. He further submits that thereafter, the petitioner has been removed from the post in question.

5. Learned counsel for the petitioner produced letter dated 12.02.2024 issued by I/C Controller of Examination, SCERT, Assam, Guwahati which suggests that the certificate of the petitioner was found genuine and correct and he has informed about the same to the I.O of the present case.

6. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection



with Noorsarai P.S. Case No. 564 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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)

Vanisha/-

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

