

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64013 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- SABAUR District- Bhagalpur

1. Kiran Kumari Wife of Bittu Kumar R/o Vill.- Baijnathpur, P.S.- Sabour, Dist.- Bhagalpur.
2. Reena Kumari Wife of Deepak Kumar R/o Vill.- Sardho, P.S.- Sabour, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-01-2025 Heard Mr. Rajive Ranjan Singh, learned counsel for the petitioners and Mr. Ram Bilash Roy Raman, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sabour P.S. Case No. 166 of 2024, F.I.R. dated 11.05.2024 for the offences punishable under Sections 467, 468, 471 and 420 of the Indian Penal Code.

3. According to prosecution case, both these petitioners were selected on the post of Sevika and during verification, the certificate of both the petitioners were found to be forged and fabricated.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that as per



allegation in the F.I.R, the petitioners have produced the forged certificate at the time of joining as a Sevika in Bal Vikas Pariyojna. He further submits that the petitioners are innocent and they have not committed any offence as alleged in the F.I.R. In fact, from perusal of the F.I.R, it appears that the date of occurrence is 27.12.2018 but the present F.I.R has been instituted on 11.05.2024 i.e., after delay of more than 5 years. The selection of the petitioners was made by the Aam Sabha. Thereafter, the certificate of the petitioners was verified by the concerned authority, thereafter, the joining letter has been issued in favour of the petitioners. He further submits that after the institution of the F.I.R, the petitioners have resigned from the post in question.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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, Bhagalpur in connection with Sabour



P.S. Case No. 166 of 2024, 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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