

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75497 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- BANJARIA District- East Champaran

Vibha Kumari D/O Umakant Mishra, W/O Shyama Kant Tiwari Resident of Village-Siswaniya, Post office-Ramgarhwa, Police Station-Ramgarhwa, District-East Champaran. Posted at Upgraded Middle School Banjariya, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Vigilance Investigation Department Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shakil Ahmad Khan, Adv.
For the State	:	Mr. Ajay Mishra, APP.
For the Vigilance	:	Mr. Arvind Kumar, Adv.
		Mr. Paritosh Parimal, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 16-04-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel appearing for the Vigilance.

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

3. The present FIR has been registered on the basis of letter bearing no. 11 of 2024 dated 22.07.2024 of Deputy Superintendent of Police, Surveillance Investigation Bureau, Patna in which it has been written that in compliance of the order of the Hon’ble Patna High Court passed in CWJC No. 15459 of 2014 to verify the genuineness of the educational



certificates of the employed teachers since 2006 to 2015, the Bureau Headquarter Surveillance registered Enquiry No. B.S. 08/15 and vide Memo No. 2162 dated 22.05.2015 deputed the Enquiry Officers District-wise and Commissionery wise. The Surveillance Investigation Bureau, Patna vide letter no. 45 dated 22.09.2022 sent certificate and marksheet of the petitioner to Bihar Sanskrit Shiksha Board, Patna for verification. During the course of verification of educational certificate of teachers, the Controller of Examination of Bihar Sanskrit Siksha Board, Patna have found that the certificate and marksheet of Matric (Madhyama) of the petitioner of the year 1992 are fake and not issued by the Board and the report to that effect was submitted vide letter no. 490 dated 07.11.2022.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been implicated merely on suspicion. He also submits that the petitioner has not made any forgery in the documents rather she has filed her original certificates as issued by the Bihar Sanskrit Shiksha Board, Patna and also filed an affidavit that the documents are true and genuine. It is further submitted that before lodging of the present case, she has not received any notice from the concerned Department and that she was ready to face any



departmental proceeding which initiated against her. However, at this stage, it is further submitted by the learned counsel for the petitioner by drawing the attention of the Court to the supplementary affidavit filed by him that the petitioner has already been terminated from her service of Panchayat Teacher by the Block Education Establishment Committee Banjariya cum Block Development Officer, Banjariya, East Champaran, Motihari vide letter nos. 463 dated 25.07.2024, 5082 dated 24.08.2024 and 1/2024 dated 18.09.2024, which would be evident from Annexure P/1A filed along with the supplementary affidavit.

5. Learned counsel appearing for the Vigilance has opposed the prayer for anticipatory bail of the petitioner submitting that the case is serious in nature.

6. Considering all the facts and circumstances of the case, especially the fact that the petitioner has already been terminated from her service and she has got no earlier criminal history, I am inclined to grant the privilege of anticipatory bail to the petitioner. 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,
East Champaran at Motihari in connection with Banjariya P.S.
Case No. 172 of 2024, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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