

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73535 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- Banjariya District- East Champaran

Savitri Yadav Daughter of Kapil Deo Yadav, Wife of Rajeshwar Rai, Resident of Village-Gokhula, Post Office-Siswa, Police Station- Banjariya, District-East Champaran Posted at Upgraded Middle School Gokhula, Block and Ps-Banjaria, Dist- East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2025 Heard Mr. Shakil Ahmad Khan, 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 Banjariya P.S. Case No. 177 of 2024, F.I.R. dated 23.07.2024 for the offences punishable under Sections 467, 468, 471 and 120(B) of the Indian Penal Code.

3. According to prosecution case, this petitioner has obtained the service of teacher on the basis of forged and fabricated document.

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 direction in CWJC No. 15459 of 2014 (PIL), the present F.I.R has been



lodged against the petitioner and other similarly situated persons. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that her certificate of the Madhyama Examination conducted by Bihar Sanskrit Shiksha Board. He further submits that she has produced the certificate which she has obtained from the Bihar Sanskrit Shiksha Board and after the institution of the F.I.R, the petitioner has been terminated from the service w.e.f. 18.09.2024.

5. The learned counsel appearing on behalf of the Vigilance as well as Learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner has submitted forged and fabricated certificate.

6. 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, East Champaran at Motihari in



connection with Banjariya P.S. Case No. 177 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. 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 her absence on two consecutive dates without sufficient reason, 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 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)

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