

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.14 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- MAHISHI District- Saharsa

Viram Kumari @ Biram Devi W/O Jaykant Paswan R/O Village- Telva,
Saharsa, P.S.- Mahishi, Dist.- Saharsa, Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Vigilance Department, Govt. Of Bihar 4th Floor, Suchana Bhawan, Opp. New Secretariat, Patna-800015
2. The Director General (D.G.), Vigilance Investigation Bureau, Patna Bihar
3. The A.D.G. Special Vigilance Unit, Vigilance Department, Patna Bihar
4. The Director General Of Police, Patna Bihar
5. The Superintendent Of Police, Saharsa Bihar
6. The Deputy Superintendent Of Police-Cum-Assistant Investigating Officer, Vigilance Department Dist.- Saharsa, Bihar
7. The S.H.O.-Cum-Officer In-Charge, P.S.- Mahishi, Dist.- Saharsa Bihar
8. The Investigating Officer (I.O.), P.S.- Mahishi, Dist.- Saharsa Bihar
9. The Bihar Sanskrit Shiksha Board Through Its Chairman, Patna Bihar
10. The Principal-Cum-Headmaster, Sanskrit Uccha Vidyalaya, Balia, Kundah, Dist.- Saharsa Bihar
11. The Mukhiya, Gram Panchayat-Manawar, Sub-Division-Mahishi, Dist.- Saharsa Bihar
12. The Panchayat Secretary, Gram Panchayat-Manawar, Sub-Division-Mahishi, Dist.- Saharsa Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Paswan, Advocate Mr. Amar Kumar, Advocate Ms. Deepika, Advocate
For the Respondent/s	:	Mr. Gp.18

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-07-2025 Heard the learned counsel for the petitioner and the
learned counsel for the State.

2. This criminal writ application is being filed for
issuance of appropriate writ/writs, order/orders, direction



/directions for the following relief/s:-

(i.) To Hold and declare that the F.I.R. has been registered on false, fabricated and concocted allegations against the Petitioner as the Madhama Certificate is correct, original and duly issued by the Respondent No. 9, i.e. Bihar Sanskrit Shiksha Board, Patna after passing the Exam in year 1991, having Roll Code- 277, Roll No.-199 obtained Total Marks 531 out of 900 and got 2nd division and the same is original, correct and duly issued and verified Madhama Certificate was submitted at the time of application by the Petitioner.

(ii.) For directing Respondent No. 2. i.e. The Director General (D.G.), Vigilance, Investigation bureau, Patna, Bihar to monitor and ensure Proper Fair and just investigation in connection with Mahishi P.S. Case No. 240 of 2023. District-Saharsa, dated 21.09.2023. Under Section 420, 467, 468, 471, 120-B of Indian Penal Code 1860, which has been registered on the recommendation of Respondent No. 6, i.e. The Deputy Superintendent of Police-cum-Assistant Investigating officer, Vigilance without Department, District- Saharsa, Bihar conducting proper investigation/Inquiry and without giving any opportunity to the Petitioner as to present his case the allegation is bad in law and whole excise has been done behind the back of the Petitioner thereafter violation of Principal of Natural Justice. Since, she has submitted original and verified Certificates of Madhama at the time of application but the same has been wrongly or inadvertently said to be fake.

(iii.) For directing Respondent No. 4 to 8 to conduct fair, transparent through and scientific mode of investigation as all the Petitioner's Certificates are correct and has been duly issued by the Concerned Board after



publishing the result of Petitioner.

(iv.) For directing the Respondent No. 9 to 10 hold the Petitioner Certificate is correct, original and duly sanctioned as the same has been obtained after appearing in Madhama Examination in year 1991 having Roll Code-277 and Roll No.- 199 obtained Total Marks 531 out of 900 got 2nd division.

3. This application is disposed of with liberty to the petitioner to approach the Magistrate concerned for redressal of his grievances by way of filing a petition in accordance with law and in view of the law laid down by Hon'ble Supreme Court in the case of ***Sakiri Vasu v. State of U.P.*** reported as (2008) 2 ***SCC 409.***

4. If such a petition is filed before the Magistrate concerned, the Magistrate concerned will act in accordance with law and will pass an appropriate order without keeping the petition pending.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

