

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89893 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- SILAO District- Nalanda

Punam Kumari Wife of Niraj Kumar Resident of Village- Amarpura, P.O.-
Amarpura, PS.- Naubatpur, Distt- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lal Mohammad, Police Inspector-cum-Enquiry Officer, Vigilance
Investigation Bureau, Patna Division bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-05-2025 Heard Mr. Bipin Bihari Singh, learned counsel for

the petitioner as well as Mr. Ajay Mishra, learned Additional

Public Prosecutor for the State and learned counsel for the

Vigilance Department.

2. The petitioner is apprehending her arrest in
connection with Silao P.S. Case No. 166 of 2024, F.I.R. dated
10.07.2024 for the offences punishable under Sections 420, 467,
468, 471 and 120(B) of the Indian Penal Code.

3. According to prosecution case, the petitioner
who is a Panchayat Teacher, was appointed in the year 2013 for
the post of teacher, has submitted false/fake mark-
sheet/certificates to get the said post.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that pursuant to the direction passed in **C.W.J.C. No. 15459 of 2014** in case of **Ranjit Pandit & Ors. Vs. The State of Bihar & Ors.**, the present F.I.R. has been instituted against the petitioner and other similarly situated co-accused persons. He further submits that as per allegation as alleged in the F.I.R. the petitioner submitted the matriculation certificate and marksheet issued by the Bihar School Examination Board, Patna and the same was found false during the enquiry. 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 in fact, the petitioner had submitted the mark-sheet/certificate which she has received from the competent board/university and the petitioner has been appointed in the year 2013 and after due verification, the petitioner joined the post in question and after filing of the present F.I.R., the District Programme Officer, Nalanda had issued a letter dated 03.12.2024 addressed to the Panchayat Secretary, which suggests that after filing of the present F.I.R., the D.P.O., Nalanda has directed the Panchayat Secretary to cancel the



appointment of the petitioner.

5. The learned Additional Public Prosecutor as well as learned counsel for the Vigilance Department has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has submitted the forged certificate/mark-sheet for the obtaining the post in question and during the investigation it was found that the same was forged/fake.

6. Considering the aforesaid facts, the petitioner has clean antecedent and after filing of the present F.I.R, the authority concerned has taken a decision to take appropriate action against the petitioner, 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 Judicial Magistrate-I, Nalanda (Biharsharif) in connection with Silao P.S. Case No. 166 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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)

Jyoti Kumari/-

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