

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31103 of 2026

Arising Out of PS. Case No.-528 Year-2023 Thana- GRIYAK District- Nalanda

Akanksha D/o Om Prakash Kumar R/o vill - Dihi, P.S.- Akbarpur, Distt.-
Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar, Advocate
For the State	:	Mr. Anant Kumar, APP
For the Vigilance	:	Mr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 03-07-2026 The present petition has been filed for modification of the order dated 01.05.2024 passed in Cr. Misc. No. 23950 of 2024 wherein learned trial court was directed to verify from the documents whether the petitioner has resigned from her job or not before accepting the bail bonds of the petitioner. It was also made clear that if it was found that petitioner has not resigned from her job her bail bonds would not be accepted.

02. Learned counsel further submits that petitioner has resigned from her job on 11.12.2023 and since then she has not worked but her resignation was not accepted by the authorities. For this reason, the bail bonds of the petitioner were not accepted. Learned counsel further submits that as some confusion arose, the petitioner again sent her resignation letter dated 27.05.2024 to the Headmaster of the School in question but the same is yet to be accepted. Learned counsel further submits that the petitioner categorically states that she has

neither worked since 11.12.2023 nor drawn any salary after the said date. Learned counsel thus submits that the condition of verification of the resignation by the petitioner be waived or modified and further time of two weeks may be granted to the petitioner to surrender before the learned court concerned.

03. The contention of the petitioner has been vehemently opposed by the learned APP for the State. Learned APP submits that the petitioner has been playing hide and seek with the court. She did not submit any resignation letter to the Headmaster of the Middle School, Adampur, Giriyak, Nalanda and kept on making her attendance till 02.12.2023. Thereafter, she proceeded on casual leave from 03.12.2023 till 14.12.2023. Then, she continued on medical leave till 14.03.2024. The petitioner remained absent from 15.03.2024 till 31.03.2024. She again went on medical leave from 01.04.2024 till 08.06.2024 and since then she has remained absent. Therefore, the submission made by the learned counsel for the petitioner about petitioner resigning with effect from 11.12.2023 is not correct rather the petitioner has kept on filing applications for leaves, casual and medical. Learned APP further submits that subsequently, the petitioner sent her resignation letter to the District Programme Officer-cum-Prakhand Siksha Padadhikari,

Giriyak, Nalanda vide a letter dated 08.12.2023 without endorsement from member of Prakhand Niyojan Ekai-cum-Secretary-Block Development Officer, Giriyak so even today there is no certainty that she resigned from her job from 11.12.2023 as she sent her resignation letter which was dated 08.12.2023 and the said letter reached the office of the District Programme Officer on 28.05.2024.

04. Learned APP also submits that the petitioner has approached this Court after much delay as the order granting anticipatory bail to the petitioner was passed on 01.05.2024 but she did not approach this Court for about two years and when she approached the Court, it was with false averments.

05. Perused the record.

06. Apparently, the petitioner has approached this Court after much delay. There is also claim and counter claim over the submission of resignation letter by the petitioner. If the petitioner has sent a letter dated 08.12.2023 resigning from her post and the said letter was received on 24.05.2024 in the office of District Programme Officer, considering the submission made before this Court in Cr. Misc. No. 23950 of 2024, the District Magistrate, Nalanda is directed to look into the matter and take appropriate action on the resignation letter of the petitioner,

within eight weeks of receipt of the copy of this order.

07. Since the petitioner has submitted before this Court that she resigned with effect from 11.12.2023 and her resignation letter is dated 08.12.2023, the DM will also ensure that no payment of any kind is made to the petitioner after this date of her resignation whether it is 08.12.2023 or 11.12.2023. If any payment is made subsequent to these two days, the petitioner would refund the amount, also within eight weeks.

08. Accordingly, the order dated 01.05.2024 passed in Cr. Misc. No. 23950 of 2024 is modified to the extend that the condition put in paragraph 7 shall stand omitted and the order is further modified by granting petitioner time of two weeks for her surrender from the date of this order. Before parting, it is made clear that if any payment has been received by the petitioner after 08.12.2023 and the same has not been refunded, the authorities are at liberty to approach the learned trial court for cancellation of bail bonds of the petitioner.

(Arun Kumar Jha, J)

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