

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.92087 of 2025

Arising Out of PS. Case No.-378 Year-2025 Thana- BAIRIYA District- West Champaran

Sharda Kumari @ Srimati Sharda Kumari, Aged about- 30 years, Female,
W/o Umesh Kumar Nishad, R/o Vill- Bagahi Nimia Tola, Ward No 08, PS-
Bairiya, District- West Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 19-03-2026 Heard Mr. Mayank Mohan, learned counsel
appearing on behalf of the petitioner and Mr. Parmeshwar
Mehta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bairiya P.S. Case No. 378 of 2025 registered for the
offence punishable under Sections 420, 467, 468 and 471 of the
Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
has allegedly secured appointment on the post of *Anganwadi*
Sevika on the basis of forged and fabricated document.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and she has falsely been implicated in the present case. He further submitted that the he has brought on record a verification report issued by the Secretary, B.S.E.B., by way of Annexure-3 to the bail application, pertaining to one Sharda Kumari, daughter of Amar Chaudhary, whose date of birth is recorded as 28.12.1992 and whose school is shown as Co-operative High School. He further submitted that petitioner's mark-sheet reflects the father's name as Amardeo Chaudhary, the date of birth as 22.05.1995, and the school as J.P.T. High School. In both the certificates, the mother's name is recorded as Lal Mati Devi. Learned counsel submitted that the two certificates clearly pertain to different individuals, inasmuch as, they relate to different schools and contain discrepancies in the father's name as well as the date of birth. On this basis, it is contended that the certificate showing the date of birth as 28.12.1992 belongs to another person, as the petitioner was never a student of Co-operative High School, and that the petitioner's actual educational record pertains to J.P.T. High School. He further submitted that the petitioner has already been terminated from the service as on date and the entire amount, which was paid to her on account of wages, has also been recovered. On these grounds, petitioner seeks to be



released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, it transpires that the petitioner was selected on 11.02.2020 for the post of *Anganwadi Sevika* on the basis of an allegedly tampered educational certificate. It is alleged that the petitioner possesses two different mark-sheets reflecting two different dates of birth. The petitioner has brought on record a verification report submitted by the Secretary, B.S.E.B., by way of 'Annexure-3 to the bail application' pertaining to one Sharda Kumari, daughter of Amar Chaudhary, whose date of birth is recorded as 28.12.1992 and whose school is shown as Co-operative High School. The other certificate, which the petitioner claims to be her own, is also in the name of Sharda Kumari, but reflects the father's name as Amardeo Chaudhary, date of birth as 22.05.1995, and the school as J.P.T. High School. In both certificates, the mother's name appears as Lal Mati Devi. It is evident that the two certificates pertain to different schools and contain discrepancies in the father's name and date of birth. On this basis, the petitioner contends that the



certificate showing the date of birth as 28.12.1992 belongs to another individual, as she was never a student of Co-operative High School, and that her actual school is J.P.T. High School. However, in view of the fact that the petitioner has already been terminated from the service as on date and the entire amount, which was paid to her on account of wages, has also been recovered, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. Learned District Court is directed to verify, as to whether, the petitioner has been terminated. In case the petitioner has been terminated or his resignation has been accepted, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Bairiya P.S. Case No. 378 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in



paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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