

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12858 of 2015

Arising Out of PS.Case No. -147 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

Babita Kumari Wife of Pappu Kumar Das

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Opposite Party/s : Ms. Madhuri Lata (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the Headmistress of Primary school, Ratanpatti, Murliganj is apprehending arrest in a case registered for the offences punishable under Sections 419, 420, 467, 471, 472, 409 of the Indian Penal Code.

The accusation is of withdrawal of Rs.3,72,400/- from the Central Bank of India, Murliganj Branch but not disbursing the fund under the dress scheme of the students.

It is submitted by learned counsel for the petitioner that though the F.I.R. has been lodged by the District Programme Officer on the direction of District Education Officer, Madhepura but in fact the F.I.R. was lodged on the instruction of BEO, Murliganj, against whom the petitioner had filed a Complaint Case No.254 of 2014, levelling accusation under Section 354,

354B and 384 of the Indian Penal Code, on 25.02.2014. Subsequently, an enquiry was conducted by the D.E.O., Madhepura and it was found that the money under the dress scheme were distributed in presence of the Chairman of the School Committee, Panchayat Secretary, Mukhiya and other public representatives and the concerned registers of dress distribution amount and mid-day meal were seized by the BEO. Consequently, suspension of the petitioner has been revoked, considering the fact that the accusation has not been found true by the DEO, during enquiry.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection Murliganj P.S. Case No. 147 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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