

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2719 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -ASARGANJ District- MUNGER

Smt. Manju Kumari @ Manju Kumari Wife of Sri Pratap Narayan Singh,
Resident of Village -Baijalpur, P.S. - Asarganj, District - Munger. The then
Incharge Head Master Middle School Dulhar, P.S. - Asarganj, District -
Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate.

For the Opposite Party/s : Mrs. Sahin Begum (APP)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-05-2015 Heard Mr. Krishna Prasad Singh, learned senior counsel
appearing on behalf of the petitioner in relation to prayer for
anticipatory bail of the petitioner facing allegation of offence under
Sections 409 and 120B of the Indian Penal Code.

Though initially Mr. Singh had made efforts to justify that
the amount entrusted to the petitioner in capacity of the headmistress of
the school was not misappropriated by her but then ultimately he come
out to say that since it is an admitted fact that the total amount
withdrawn by the petitioner was only to the tune of Rs. 7,79,065/- and
out of that expenditure made by the petitioner as also verified by the
authorities was paid to the tune of Rs. 5,88,526/-, the petitioner would
be prepared to deposit a sum of Rs. 2,00,000/- for the present in the
name of Collector, Munger District, for getting privilege of anticipatory

bail and its being made subject to the result of the trial against her.

That being so, this court would direct that if the petitioner, namely, Smt. Manju Kumari @ Manju Kumari, surrenders before the court below within a period of four weeks from today, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Asarganj P.S. Case No. 44/2014, subject to the following conditions:

- (i) The petitioner shall produce documentary evidence of payment of a sum of Rs. 2,00,000/- by way of bank draft in the name of the Collector of the District of Munger and the said amount shall remain subject to the result of the pending trial against her.
- (ii) That both the bailors will be close family relatives of the petitioner, who will file an affidavit giving genealogy as to how they are related with the petitioner. The bailors in the said affidavit will also undertake to inform the court if there is any change in the address of the petitioner.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the court below will be at liberty to initiate the

proceeding for cancellation of her bail on the ground of misuse.

- (iv) That the petitioner will be well represented on each and every date in course of trial and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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