

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32808 of 2015

Arising Out of PS.Case No. -767 Year- 2014 Thana -FORBESGANJ District- ARRARIA

Sunita Devi @ Punita Devi wife of Kenhaiya Mandal resident of village
Adiwasi tola, Madhura, P.S. Forbesganj, District Araria,, at Present working
as Secretary of Siksha Semmittee, Primary School, Adiwasi Tola, Madhura,
Panchayat Tirshkund, P.S. Forbesganj, District Ararai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 10-08-2015

Heard learned counsels for the petitioner

and the State.

The petitioner being the Secretary of
Shiksha Samiti of Primary School, Adiwasi Tola in Tiraskund
Panchayat under Forbesganj Circle is apprehending his arrest in
a case registered for the offences punishable under Sections 406,
409 and 420/34 of the Indian Penal Code.

The prosecution case is that Rs.12,92,850/-
was given to the petitioner for the construction of school
building but the said money was misappropriated.

It is submitted by learned counsel for the
petitioner that during enquiry it was found that the construction

work of Rs.8,89,045/- has been done and rest money of Rs.4,01,904/- is lying in the account of the school.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for four months in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 767 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The learned court below will confirm the provisional bail of the petitioner on verifying the fact that construction work worth Rs.8,89,045/- has already been done and the balance amount of Rs.4,01,904/- is lying in the account of the school. If the aforesaid contention of the petitioner will not be found true then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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