

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47656 of 2014

Arising Out of PS.Case No. -159 Year- 2012 Thana -GANDHIMAIDAN District- PATNA

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Anjana Shukla , daughter of Sri Kameshwar Shukla resident of vill-
Belaur,P.S. Udwant Nagar, Distt. Bhojpur (Ara)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 25-05-2015

Heard both sides.

Petitioner seeks anticipatory bail in connection with
Gandhi Maidan P.S case no. 159 of 2012 registered under
Sections 420, 409/34 of the IPC instituted on the basis of the FIR
lodged by the State Programme Coordinator, Bihar Mahila
Samakhya Society.

Precisely the allegation against the petitioner is that
while posted as warden of the Kasturba Gandhi Balika Vidyalaya
of Jagdishpur she defalcated the fund which was allocated for
the benefit of the students.

Counsel for the petitioner has placed reliance on
Annexures-2 and 3/A wherefrom it appears that she was posted as
such in the said school from 15.12.2008 to 31.3.2009. The special
audit for the periods 2006-07 to 2010-2011 for the six schools

situated in the District of Bhojpur was carried out wherein several financial irregularities were found.

The learned counsel submits that petitioner held the post of warden only for three month within the financial year 2008-09. No documents were produced to the auditors of the said period. Learned Sessions judge considered several bail applications including that of the petitioner and rejected the same. The case of the petitioner has been considered in one paragraph thereof. The petitioner holds a regular post in the school and there is no chance of her absconding.

Regard being had to the above, this Court is inclined to privilege the petitioner with anticipatory bail. Let the petitioner, named above, in the event of her arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Patna, in connection with Gandhi Maidan P.S. case no.159 of 2012, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family members of the



petitioner.

(ii)

As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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