

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47685 of 2015**

Arising Out of PS.Case No. -26 Year- 2004 Thana -MEHANDIA District- JEHANABAD

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Agatha Surin Daughter of Fransis Surin resident of Block Colony Road,  
Chandwa, P.S. Chandwa, District Latehar, then Head Mistress of  
Rajkiyakrit Balika High School Chandwa District Latehar, Palamu.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s :

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL ORDER**

3      03-11-2015                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends arrest in Mehandia P.S.  
Case No. 26 of 2004 dated 24.05.2004 instituted under Sections  
467/468/471/420/409/120B of the Indian Penal Code.

The allegation against the petitioner is that while  
holding the post of headmistress of Balika High School, Chandwa

she had made payment to a teacher who had worked on the basis of forged appointment letter.

Learned counsel for the petitioner submits that the period relates from 02.09.1989 to June, 1992 and the said person was initially posted at High School, Ramgaiya at Purnea by order dated 10.04.1988 and thereafter transferred to her school by order dated 16.08.1989. Learned counsel submits that the petitioner was not involved in issuance of the appointment letter and since the person who had been transferred from a Government School to her School, there was no occasion for her to carry out any fact finding exercise or even to suspect that such initial appointment of the person itself was bad. It is further submitted that the petitioner has superannuated on 31.12.2012 and the matter relates to a period more than two decades old. Learned counsel submits that the petitioner has clean antecedent.

Learned A.P.P. submits that in the background of the allegation against the petitioner of allowing the said person to draw his salary from her school she should have been more vigilant.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from

today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal (Jehanabad) in Mehandia P.S. Case No. 26 of 2004, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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