

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5817 of 2015

Arising Out of PS.Case No. -339 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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1. Savita Devi @ Savita Das W/o Sri Shyamal Das R/o village - Refusy Colony, Palasi, P.S. Narpatganj, Distt. - Araria At present Posted as Secretary, Vidyalaya Shiksha Samiti, Primary School, Refugy, Palasi, Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-02-2015 Heard both sides.

The petitioner apprehends her arrest in Narpatganj P.S. Case No. 339 of 2014, registered for the offences punishable under Section 409 and other Sections of the Indian Penal Code.

The Block Education Officer, Narpatganj alleged that Ganga Ram the headmaster and the petitioner Secretary of Vidyalaya Shiksha Samiti withdrew Rs. 9,28,575/- for construction of school building, but no building was constructed.

Learned counsel for the petitioner submits that prior to lodging of this case, the petitioner made complaint against Ganga Ram that he fraudulently took signature of the petitioner on the cheques. It is further submitted that the enquiry report of Block

Education Officer, Narpatganj have stated that the petitioner and her men claimed that the signature of the petitioner was obtained and the enquiry officer found that Ganga Ram committed forgery.

On perusal of the records, it appears that the headmaster and Secretary of Vidyalaya Shiksha Samiti are authorized to withdraw money. After putting signature the headmaster and the petitioner withdrawn Rs. 9,28,575/- for construction of school building in the financial year 2012, but no construction was made. On the face of the allegation, it appears that the headmaster fraudulently took the signature of the petitioner is not acceptable as the petitioner herself admitted that she put her signature on the blank cheques and it itself proved that signature of any of the withdrawer has not been forged and the government money has been defalcated by the petitioner and the headmaster.

Considering the facts aforesaid I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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