

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45894 of 2014

Arising Out of PS.Case No. -69 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

=====

1. Smt. Mira Kumari, Headmistress, Primary School Akha Sanyasi Tola,
P.S. - Ujiarpur, District - Samastipur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Nagendra Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 24-06-2015

Heard both sides.

Petitioner is facing accusation(s) punishable under
Section 409 of the IPC being the Headmistress of the school.

It is alleged that the mid day meal prepared for the
student was less than the actual number. The fund allotted
therefor was misappropriated.

Learned counsel for the petitioner states that some of
the students were granted transfer certificate after the mid day
meal was over. It has also been stated that petitioner would
deposit the loss alleged to have been sustained by the
Government if so directed by this Court.

In the facts and circumstances of the case, 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 bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Samastipur in connection with Ujiarpur P.S. case no. 69 of 2014, 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 member 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.
- (iii) Along with the bail bonds the petitioner should furnish a receipt showing deposit of a sum of Rs.

5,000/- (Five thousand) with the office of the informant and/or in the Nazarat itself which the informant shall be entitled to withdraw.

The deposit so made shall be without prejudice to the right/defence of her case.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--