

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12427 of 2014**

Arising Out of PS.Case No. -64 Year- 2013 Thana -BARIYARPUR District- MUNGER

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1. Katyayani Jha @ Katyani Jha Wife Of Vikky Jha @ Vivekanand Jha  
Resident Of Village- Chiraiyabad, P.S- Bariarpur, District- Munger.

.... .... Petitioner/s

Versus

1. The State Of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

8      25-06-2015              The petitioner is working as Headmistress in a Government school . Bariarpur P.S. Case No.64/2013 was registered against her alleging offences under sections 467, 468, 409 and 420 of the Indian Penal Code.

The allegation against the petitioner is that she had withdrawn Rs.2,72,000/- unauthorizedly. Apprehending her arrest, the petitioner filed A.B.P. 503 of 2013 in the court of Sessions Judge, Munger, which was rejected on 15-2-2014. Hence, this petition.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The allegation against the petitioner is that in course of discharge of her duties, the petitioner had withdrawn Rs.2,72,000/-

The petitioner denied and has stated that another person fraudulently had withdrawn the amount. The truth or otherwise of the allegations contained in the complaint need to be established in the trial court. In the matter of this nature, it is not necessary that the Government official and that too a lady Headmistress must be arrested. The recovery can be effected from the salary of the petitioner if it is ultimately proved that she has misappropriated the amount.

The application is allowed. In the event of arrest, the petitioner above named shall be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger, in connection with Bariarpur P.S. Case No. 64/2013 , subject to the conditions as laid down under section 438(2) Cr. P.C.

**(L. Narasimha Reddy,CJ)**

BK.Roy/-

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