

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11018 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -TARAIYA District- SARAN

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1. Pramila Devi Wife of Sri Mohan Singh resident of village - Parauna,
Police Station - Taraiya, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Ram Binod Singh

For the Opposite Partys : Mr. Satyadeo Pd. Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-04-2015

Heard the parties.

The petitioner, who is the elected Secretary of the Vidyalaya Shiksha Samiti of the concerned school, apprehends her arrest in connection with Taraiya P.S case no. 70 of 2014 instituted under Sections 420 of the Indian Penal Code.

In the written report of the Block Education Officer which formed the basis of the First Information Report as also document attached therewith contained in letter dated 19.5.2014 it appears that a sum of Rs. 70,000/- and odd was allotted in the year 2006-2007 and subsequently Rs., 2,50,000/- in the year 2007-2008 for construction of rooms in the school building as also construction of the boundary wall. The then Principal of the school and the Secretary elected were the accused persons who embezzled the amount. Having found the construction of poor

quality the Principal as well as Secretary were directed to demolish those constructions and make new constructions. The petitioner is said to have defaulted in doing so resulting in lodgment of the case.

Contention of the petitioner is that the matter, admittedly, pertains to allotments made in the year 2006-2007 and 2007-2008 when the construction of poor quality as alleged in the F.I.R. was made. The petitioner got elected Secretary of the school in the year 2011. She has relied in this regard on Annexure-2. It has, thus, been submitted that during the relevant time the petitioner did not function as the Secretary of the School and under misconception she has been named in the F.I.R. as the accused who embezzled the government fund along with the then Principal/headmaster of the school.

Let the petitioner, above named, in the event of her arrest or surrender before the 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 learned Judicial Magistrate, Saran at Chapra in connection with Taraiya P.S. case no. 70 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Kishore Kumar Mandal, J)

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