

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37394 of 2015

Arising Out of PS.Case No. -6 Year- 2014 Thana -NAUHATTA District- SAHARSA

Baby Kumari wife of Chandrashekhar Yadav, R/o Village- Raja Kharbar,
P.S.- Sakatpur, District- Darbhanga, Newly Formed Primary School,
Engineer Tola, Bakunia, P.S.- Nauhatta, District- Saharsa

..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 11-09-2015 Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Nauhatta PS Case No.6 of 2014, disclosing offences
under Section 409 of the Indian Penal Code.

The petitioner at the relevant point of time was
posted as Headmistress of newly formed Primary School,
Engineer Tola, Bakunia, District Saharsa. On the basis of an
inspection conducted on 24.8.2012 by Prakhanda Sadhan Sevi
when the school was found closed, and a report was submitted by
him accordingly to the effect that the petitioner had embezzled
certain amount entrusted to her. The said amount has been
mentioned to be Rs.2,41,043/- allocated for the purpose of

construction of kitchen-cum-store room in the school and another sum of Rs.22,204/-.

Learned counsel appearing on behalf of the petitioner has submitted that the said amount of Rs.2,41,043/- is still lying in the bank account of the school and the allegation of misappropriation of said amount against the petitioner is absolutely incorrect.

In view of the submission as above, this application is allowed. Let the petitioner above named, in the event of her arrest or surrender before the Court below within six 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 learned Chief Judicial Magistrate, Sitamarhi in Nauhatta PS Case No. 06 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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