

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24116 of 2016

Arising Out of PS.Case No. -207 Year- 2014 Thana -PHULPARAS District- MADHUBANI

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Smt. Manjula Devi, wife of Pawan Kumar Kamat, Resident of Village-
Kalipur, P.S.-Phulparas, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madan Prasad Singh No-2

For the Opposite Party/s : Mr. Manoj Kumar-I(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-08-2016

Heard both sides.

The petitioner apprehends her arrest in Phulparas P.S.Case
No.207 of 2014 registered under Sections 409 and 420 of the
Indian Penal Code.

The informant alleged that Rs.8,71,200/- was transferred
in the account of Vidyalay Siksha Samiti, Primary School, Kalipur
Block, Ghoghardiha by the District Programme Officer under the
Scheme of Sarba Siksha Abhiyan but on supervision of the
account of the school it was transpired that the entire amount was
withdrawn by the Headmaster of the school and no construction of
the school building was done.

It is submitted that the petitioner is not named in the F.I.R.
The name of the petitioner figured in the case in the statement of
the Bank Officer, who disclosed that the money lying in the
account of Vidyalay Siksha Samiti can be withdrawn only on joint
signatures of the Headmaster and the Secretary of the Vidyalay

Siksha Samiti of the school. It is submitted that the petitioner is the Secretary of the School Education Committee but she did not put any signature on any of the withdrawal forms or cheques. Hari Narayan Sahu, Headmaster, withdrew the entire amount and he deposited Rs.7,05,579/- in the account of Vidyalay Siksha Samiti. On that count, he was granted regular bail in Bail Petition No. 596 of 2014 vide order dated 24.3.2015 by the 5th Additional Sessions Judge, Madhubani.

Considering the fact that Hari Narayan Sahu, Headmaster of the Primary School, Kalipur Block, Ghoghardiha, deposited the entire amount, which was withdrawn by him from the account of Vidyalay Siksha Samiti of the school, the petitioner Smt. Manjula Devi, in the event of her arrest or surrender in the court below within a period of four weeks from the date of receipt/production of this order, shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Phulparas P.S.Case No. 207 of 2014 to the satisfaction of Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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