

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18246 of 2016

Arising Out of PS.Case No. -130 Year- 2015 Thana -MADANPURA District- AURANGABAD

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Sunaina Devi W/o Ravindra Pal, resident of Village- Padrawan, P.S.-
Madanpur, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-05-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in connection
with Madanpur P. S. Case No. 130 of 2015 for offences alleged
under Sections 409, 420 and 34 of the Indian Penal Code.

The prosecution case as lodged by the informant is
that the informant, who is present Headmaster of Utcramit
Middle School, Padrawa and he joined on 22.12.2014 as In-
charge Headmaster in the said school and he came to know that
Anil Das has withdrawn Rs. 11 lacs from the account of school
bearing No. 0502000100342197 of the Punjab National Bank,
Aurangabad and on enquiry, the informant came to know that
Anil Das and Secretary Smt. Sunaina Devi, the petitioner have

withdrawn the money by their joint signature and prior to that Anil Das has withdrawn Rs. 10, 3000/- from the school account with his joint signature and signature of Manti Devi and it has been found that without authority Anil Das used to withdraw money from the account of the school.

It has been submitted by the learned counsel for the petitioner that she, as a Secretary of the said school, has been falsely implicated along with the then Headmaster, who has since been granted the privilege of bail by this Court in Criminal Miscellaneous No. 12260 of 2016 on 23.05.2016. He submits that there is no criminal history and as is evident from para-3 of this application and the construction work is almost complete and the allegation of the defalcation as made out against the petitioner is subject to final reconciliation of accounts after completion. He further submits that the villagers and the Junior Engineer have also stated that the construction of the building has been done only finishing touches are yet to be done. He further submits that being a Government employee there is no chance of absconding or tampering with evidence.

However, the learned APP for the State submits that the petitioner, being the Secretary, along with the then Headmaster is named in the F.I.R, hence, opposes the prayer for

bail.

Be that as it may, since the then Headmaster has already been enlarged on bail and the matter relates to reconciling of accounts of construction of the school building, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P. S. Case No. 130 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

ajaypd./-

(Nilu Agrawal, J)

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