

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51209 of 2016

Arising Out of PS.Case No. -181 Year- 2016 Thana -TEKARI District- GAYA

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Vandana Kumari, Wife of Rakesh Ranjan, resident of Village-Mau, P.S.-
Tekari, District-Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Sahdeo MIshra, Son of Hari Mohan Mishra, resident of Village-Sherpur,
P.S.-Maner, District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate.
For the State : Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending her arrest in connection
with Tekari (Mau) P.S. Case No. 181 of 2016 for the offences
instituted under Sections 147, 148, 149, 419, 420, 406, 409, 467,
468, 471 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the informant and
witnesses were appointed as Principal in Dr. Jagarnath Mishra
Inter College by father of this petitioner in the year 1992. It is
further stated that the then Principal, Dr. Brajraj Mishra,
distributed the amount of the College among all the staff as per
direction given by Bihar School Examination Committee vide



Letter No. 5810 and due to this reason, the accused persons could not get illegal economic benefit. It is further stated that the accused persons formed Ashok Kumar Mishra Memorial Trust in the name of Ex-Secretary, Late Ashok Kumar Mishra and made all the relatives as President, Secretary, the reassurer and all the members of trust and the Government Grant total amount of Rs. 37,91,600/- for the period from 2004-2010 was deposited in new account number of Ashok Kumar Mishra Memorial Trust bearing No. 2392020006873 in place of the account of the College bearing No. 23920100010589 of Bank of Baroda, Lodipur. They also deposited Rs. 6,00,000/- of dress amount in the above said account of Ashok Kumar Mishra Memorial Trust and they fraudulently and dishonestly defalcated the above said amount. It is further stated that on 26.02.2014, the complainant was appointed as Principal-cum- Secretary of the said College by G.D. of College as per Higher Secretary Amendment Rule 2013, in which some of the accused persons made members in the G.B. also. It is further stated that in light of Non-Finance Education Policy, the Government Grant of Rs. 37,91,600/- was sent through draft in the name of Secretary-cum-Pracharya. It is further stated that after the death, the then Secretary, Late Ashok Kumar Mishra, the accused Rakesh Ranjan and other accused persons had appointed Shutala



Devi (wife of late Ashok Kumar Mishra) but when the staff demanded their salary, the accused persons under conspiracy made Vandana Kumari as Principal of the College. Although Bihar Intermediate Council vide Advertisement No. 43/92 had stopped appointment without previous permission of the Council. It is further stated that Vandana Kumari was appointed as Principal without the experience and qualification. It is also stated that the accused persons accepted the resignation of the complainant and appointed the petitioner Vandana Kumari and defalcated entire College amount and dress amount.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. She has falsely been implicated in the present case. The complainant was the Principal of the College appointed by the governing body of the trust from 2006 to 01.07.2015. The grant which was given by the government for the period 2004 to 2010 was given to the Institution in the year 2013 and the same was distributed by the informant/complainant in the year 2014. The allegation is in respect to misappropriation of the said government fund. As far as the petitioner is concerned, she is a lady and was appointed as the Incharge Principal by the government body of the trust on



23.07.2015. She had no concern with the grant in question given to the Institution by the government because at the relevant time the informant/complainant himself was the Principal of the Institution.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of her arrest or surrender before the learned court below within a period of six weeks from today in connection with Tekari (Mau) P.S. Case No. 181 of 2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

