

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44937 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -SUPAUL District- SUPAUL

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Smt. Tuni Devi wife of Kari Mandal, resident of Village- Laxminiya, Police Station
+District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate
For the State : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with
Supaul P.S. Case No. 68 of 2016 dated 06.02.2016 instituted under
Sections 406/409/420 of the Indian Penal Code.

The allegation against the petitioner is that she being
the Secretary of the Primary School, Lakshminiya, along with the
Headmaster, had withdrawn Rs. 6,76,575/- for getting various works
done but neither the work was done nor money returned.

Learned counsel for the petitioner submits that she
was only a signatory on the cheque for withdrawal of the money and
the same was given to the Headmaster under whose supervision the
work was supposed to be done. It is submitted that the petitioner has
no role in any of the work being executed. Learned counsel draws the
attention of the Court to copy of the order dated 08.03.2016 passed in

A.B.A. No. 204 of 2016 by the Additional Sessions Judge-II, Supaul by which the co-accused, Headmaster namely, Gulab Mehta was directed to surrender before the Court below as he was ready to pay the amount of Rs. 6,76,575/- and it was observed that it was a fit case for regular bail and pursuant to the same, Gulab Mehta had surrendered and had been granted bail, after depositing the aforesaid amount, on 05.04.2016 by the Chief Judicial Magistrate, Supaul. It is submitted that the petitioner has clean antecedent.

Learned A.P.P. does not dispute the fact that the entire money has been deposited by the co-accused, Headmaster.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in Supaul P.S. Case No. 68 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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