

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9396 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -HULASGANJ District- JEHANABAD

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Pramila Kumari wife of Sri Ravi Kumar, resident of village Lat, P.S.
Hulasganj, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in a case instituted under Sections 409 and 420/34 of the Indian Penal Code.

Allegation against the petitioner is that she was Incharge Principal of a school and withdrew huge money from the account of construction work. The work has not been completed and she defalcated Government money.

It is submitted on behalf of the petitioner that she has got no criminal antecedent. At the relevant time, petitioner happened to be the Incharge Principal of the concerned school. As per F.I.R. itself, Rs. 8,93,400/- was given to the petitioner for the construction work of the school, out of which work for Rs. 3,25,000/- was completed and iron rod worth Rs.2,10,000/- and green bricks worth Rs. 3,27,000/- were left by her. If the said amount is calculated, it would come to approximately Rs. 8 lacs and odd. It is a case of miscalculation. There is no wrongful loss caused to the State. Petitioner has been made accused due to mistake of fact. It is further submitted that she is ready to deposit an amount of Rs.25,000/- in the court below which shall be subject

to the final disposal of the case.

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

Considering the aforesaid facts and circumstances, it is directed that petitioner shall deposit an amount of Rs.25,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Hulasganj P.S. Case no. 90 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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