

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40661 of 2016

Arising Out of PS.Case No. -117 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Sarita Devi, Wife of Sri Nageshwar Choudhary, Resident of Mohallah-
Barbanna, P.S.- Sadar, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 06-10-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in connection
with Sadar P.S. Case No.117 of 2016 for allegedly having
committed the offence under Sections 406, 409 and 420 of the
Indian Penal Code.

Learned counsel for the petitioner submits that though
there is an allegation against the petitioner that she had
misutilized the money meant for the construction of the school
building, no such cash was ever given to her. It is further
submitted that the money, which was to be used for the School,
was drawn by the Incharge Headmistress with her joint signature
and the money is lying available with the Headmistress and not
this petitioner. It is further submitted that the Incharge

Headmistress has given an affidavit that she would return the money as the same is lying secured with herself. Learned counsel thus prays that in view of the fact that the Incharge Headmistress is willing to return the money, no case is made out against the petitioner.

Having heard learned counsel for the petitioner and the learned counsel appearing for the State and on consideration of the facts and circumstances and the documents attached to the present application, it appears that the petitioner is one of the joint signatories and the Incharge Headmistress is ready to return the money. As such, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with Sadar P.S. Case No.117 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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