

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30174 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -DARAUNDA District- SIWAN

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Poonam Kumari daughter of Shri Rama Shankar Prasad, resident of
Village- Dhanauti, Police Station- Daraunda, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-10-2016

Heard both sides.

The petitioner apprehends her arrest in Daraunda P.S.
Case No. 57 of 2016, registered for the offences punishable under
Sections 420, 406 and 409 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner
being Headmistress of New Primary School, Mirachak, Block-
Daraunda, Siwan had to construct building of worth Rs. 4,50,000/- in
the year 2007-08. The petitioner withdrew Rs. 1,05,000/- for
construction of the building but she is on medical leave from 2nd
August, 2008.

Learned counsel for the petitioner submits that the
petitioner issued a cheque of Rs. 45,000/- in favour of Julekha
Khatoon, Secretary of Vidyalaya Siksha Samiti and a cheque of Rs.
60,000/- was issued in favour of owner of Uma Bricks Industries

Pakari for supply of bricks. Since the petitioner was on medical leave from 2nd August, 2008 and that is why a resolution was passed by the Vidyalaya Siksha Samiti that Julekha Khatoon will get the construction work done. The petitioner did not misappropriate any amount, even then the petitioner on the next day of the institution of the FIR deposited Rs. 1,05,000/- in the account of Vidyalaya Siksha Samiti.

Considering the facts aforesaid and the fact that the petitioner has already deposited the amount in the account of Vidyalaya Siksha Samiti, although he had issued cheque in the name of Juleka Khatoon and Dinanath Yadav for construction of school building and for supply of building materials, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VIII, Siwan in connection with Daraunda P.S. Case No. 57 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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