

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10201 of 2017

Arising Out of PS.Case No. -166 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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1. Sunita Kumari, wife of Late Anil Kumar, resident of Village- Laloo Chapra, Police Station- Paroo in the district of Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh

For the Opposite Party/s : Mr. Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-03-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Paroo P.S.Case No.166 of 2016 registered for offences punishable under Sections 409 and 420 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the allegation against the petitioner is that under the 14th Finance Commission Scheme, Rs.05 lakh was allotted to the husband of the petitioner for construction of the school building but neither the work was completed nor the money was returned, as such there is a case of defalcation of money. The petitioner is wife of the then Headmaster, who has died in the year, 2011 and the petitioner has been appointed on compassionate ground, hence, there is no liability of the petitioner to complete the work or return the money



rather it is duty of the Headmaster In-charge of the School.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri A.K.Singh, learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Paroo P.S.Case No.166 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) The petitioner shall co-operate in the investigation of the case and make available the documents with regard to this case before the Investigating Officer as and when required, otherwise the bail bond of the petitioner shall be cancelled.
- (ii) Once the charge is submitted and some more materials are found during course of enquiry, the prosecution is at liberty to move for cancellation of the bail bond of the petitioner.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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