

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22892 of 2017

Arising Out of PS.Case No. -57 Year- 2015 Thana -KHAIRA District- SARAN

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Babita Kumari Wife of Sunil Kumar Resident of Village: Sadhpur, P.S. Garkha, District Saran , at Present Junior Teacher, Yadav Kshatriay +2 (Higher Secondary)School, Khodai Bag, P.S. Khaira, District Saran.

.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-07-2017 Heard learned counsel for the petitioner and learned APP representing the State.

The petitioner apprehends her arrest in connection with Khaira P.S. Case No. 57 of 2015 registered for the offences punishable under Sections 467, 468, 470, 471, 420 and 409 of the Indian Penal Code.

Allegedly, the petitioner misappropriated the admission fee of Intermediate Students amounting to Rs. 60,000/- and did not hand over the charge to the informant in spite of direction of higher officials.

Submission is of false implication and that due to human mistake the amount was deposited in the account of Students Fund but the same has been corrected and has already been deposited in the Development Fund of the College. The



District Education Officer, Saran in this regard has written to the Officer Incharge of Khairia Police Station vide letter no. 942 dated 09.07.2016 and further the District Programme Officer has also written vide memo no. 438 dated 31.12.2015 in this regard that the petitioner has not defalcated any amount vide annexures 2 and 3. She has already handed over all the charges to the informant. The petitioner is a lady and without any fault she is apprehending her arrest.

Learned APP after going through annexures 2 and 3 fairly submits that from both the annexures it reveals that it is not a case of defalcation.

In the facts and circumstances stated above, the petitioner above named, in case of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. X, Saran at Chapra in connection with Khairia P.S. Case No. 57 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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