

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41360 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -JHAJHA District- JAMUI

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1. Kumkum Kumari S/o Not Known, R/o In-chage Head Mistresses, New primary school , Bandarchuan, P.S.- Jhajha, District- Jamui, At present Daughter of Shri Kailash Singh, R/o village- Nawdiha, P.O.&P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Jhajha P.S. Case No. 31 of 2017 instituted for the offence under Sections-409, 419, 420 of the Indian Penal Code.

It has been submitted that the petitioner was the Head Mistress of Primary School, Bandachuan, Jhajha, Jamui.

There is allegation that the irregularity has been committed in providing Mid Day Meal.

Counsel for the petitioner has submitted that there was no complain lodged by any students of the school or any guardian of students. On the basis of complaint filed by one Bindeshwari Yadav before the Public Grievance Redressal Cell, Jamui, the instant FIR has been lodged by Block Education Officer, Jhajha. It has further been



submitted that in the FIR, there is no mention about the loss of money or defalcation of the amount done by the petitioner. The petitioner has already been suspended for such vague allegation.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Jhajha P.S. Case No. 31 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Jamui subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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