

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36618 of 2017

Arising Out of PS.Case No. -257 Year- 2016 Thana -SIRDALA District- NAWADA

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1. Sharmila Kumari @ Smt. Sharmila Kumari W/o Jay Prakash Mahto, R/o
Village- Sarh, P.S.- Sirdala, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017

Heard the parties.

The petitioner is apprehending his arrest in connection with Sirdala P.S.Case No.257 of 2016 registered for offences punishable under Sections 406, 409 and 420/34 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is of misappropriating the public money allotted to the School for construction of rooms.

Submission of the learned counsel for the petitioner is that the money has already been handed over to the Headmaster for construction and he is responsible for misappropriation of money, however, in spite of that the learned counsel for the petitioner has fairly submitted that the petitioner is ready to deposit half of the amount in the court below, which will be



subject to the result of the case within a period of two months.

Heard learned A.P.P. also.

Having heard both sides and in view of submission of the learned counsel for the petitioner that the petitioner is ready to deposit half of the amount, as such let the petitioner surrender within a period of eight weeks with the bank draft of half of the total amount, as mentioned in the F.I.R., and that will be subject to result of the case and be released in favour of the informant. Once the same is deposited and the learned court below is satisfied about the same, the petitioner shall be released on bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Nawada in connection with Sirdala P.S.Case No.257 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is further directed that during the aforesaid period of eight weeks, no coercive steps shall be taken against the petitioner.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make herself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of her



bail bond.

With the aforesaid observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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