

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48167 of 2017

Arising Out of PS. Case No.-298 Year-2016 Thana- LALGANJ District- Vaishali

Ashma Khatoon W/o Md. Jalauddin, R/o Village- Purkhauli, P.S.- Lalganj,
District- Vaishali, Bihar. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. SRI IFTEKHAR MAHMOOD

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 12-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends her arrest in connection with
Lalganj P. S. Case No. 298 of 2016 registered for the offences
punishable under Sections 420, 409/34 of the Indian Penal
Code.

Allegedly, the petitioner being Secretary and co-accused
Mahboob Hasan being incharge headmaster were allotted Rs.
12,19,000/- for construction of the building but work was done
only for Rs. 11,15,483/- and rest amount of Rs. 1,03,517/- has
been misappropriated.

Submission is of false implication and that from perusal of
the case diary it would reveal that after institution of the FIR the
work has already been completed and after submission of final
measurement report the Bill has been cleared. Similarly situated



co-accused Mahboob Hasan the incharge headmaster has been allowed pre-arrest bail vide Cr. Misc. No. 20875 of 2017 by another co-ordinate Bench of this Court and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that incharge Headmaster has already been allowed pre-arrest bail.

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, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P. S. Case No. 298 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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