

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25394 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -KHUTAUNA District- MADHUBANI

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Arhuliya Devi @ Aruliya Devi, W/o Dinesh Ram, Resident of Village-Jatahi, P.S.- Khutauna, Dist- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 07-06-2017 Heard Shri Rohit Kumar No. 5, the learned advocate for the petitioner and Shri Uma Shankar Prasad Singh, learned APP for the State.

The petitioner is seeking regular bail in connection with Khutauna P.S. Case No. 28 of 2016 for the offences alleged under Section 409 and 420 IPC.

The allegations as contained in the First Information Report would show that on instructions from the District Programme Officer, Madhubani to the Block Education Officer, Khutauna the present FIR has been lodged for the reason that according to the informant despite having withdrawn money for the purpose of construction of school building, the building has not been constructed or building construction has not been completed so far. There is allegation of misappropriation of Rs. 2, 52, 350/-.

The learned counsel for the petitioner would submit



that the petitioner is not named in the FIR and there is no specific allegation against her. However, her name transpired in course of investigation as she happened to be the Secretary of the school and she was one of the signatory of the bank account along with the headmaster.

The submission is that the petitioner is an illiterate lady and she is capable of making only thumb impression and in fact it was the headmaster who was conducting the affairs of the school. Learned counsel placed on record a copy of the order dated 30.5.2017 passed in Criminal Misc. No. 24765 of 2017 showing that the headmaster Domi Lal Ram has already been granted bail by a coordinate Bench of this Court.

The learned APP opposed the prayer for bail.

In the facts and circumstances stated hereinabove, let the petitioner, namely, Arhuliya Devi @ Aruliya Devi be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-3rd, Jhanjharpur, District-Madhubani in connection with Khutauna P.S. Case No. 28 of 2016.

(Rajeev Ranjan Prasad, J)

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