

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62025 of 2017

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1. Sharmila Kumari @ Smt Sharmila Kumari, W/o 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. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2017 Earlier petitioner was allowed anticipatory bail vide order dated 11.08.2017, passed in Cr. Misc. No. 36618 of 2017, with direction to surrender before the court below within a period of eight weeks along with the bank draft of half of the total alleged amount of misappropriation.

It has been submitted by learned counsel for the petitioner that he appeared before the court below with a cheque of Rs. 1, 29,070/- issued in favour of the V.S.S. Harnarayanpur, however, the bail bond of the petitioner was not accepted and she was asked to deposit the same in the department itself, thereafter, petitioner went to deposit the said amount in the office of District Education Officer, but there also the same was not accepted nor any instruction was given to her as to where the money has to be deposited. Thereafter, the petitioner filed a petition before the court below to give direction to accept money of the informant,



but no order was passed as such the petitioner failed to furnish the bail bonds. Subsequently, petitioner was asked to get a bank draft prepared in favour of Bihar Education Project Nawada (civil construction), however, the period of eight weeks expired in between and petitioner could not surrender and furnish her bail bonds and, therefore, it is prayed that a further period of one month may be allowed to the petitioner to surrender before the court below.

In view of the submission of learned counsel for the petitioner as well as in view of averments made in modification application, further period of one month is allowed to her to surrender before the court below along with a Bank Draft of half of the alleged misappropriated amount to be returned in favour of the authority concerned when such request is made and subject to final result of the case.

With the above observation, this modification application is allowed.

(Vinod Kumar Sinha, J)

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