

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25810 of 2017

Arising Out of PS.Case No. -285 Year- 2013 Thana -PURNEA SADAR District- PURNIA

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1. Smt. Renu Kumari @ Devi @ Renu Kumari @ Smt. Renu Kumari Devi
Wife of Amod Yadav, resident of Mangal Colony, P.S. K.Hat (Sahayak),
District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-06-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in custody since 10.03.2017

in connection with Sadar (Mufassil) P.S. Case No.285 of 2013 for
the offences alleged under Section 409 of the Indian Penal Code.

The prosecution case as lodged on the basis of written
report of Block Education Officer is that this petitioner, who is a
Head Mistress of Primary School, Srinagar defalcated the amount
of Rs. 3, 41,252/- from total amount of Rs. 10, 96,200/- which was
allotted for construction of school building and also
misappropriated the amount of Mid day Meal and School dress
provided by the Government and absconded.



It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case on account of local politics. It has further been submitted that she was ill and had taken leave, hence, she did not attend school and it was not a case of absconding. It is further submitted that out of Rs. 10,96,200/- which was sanctioned for construction of School building only Rs. 464160/- has been spent but Rs. 290788/- is still in this account, as is evident from the report of Block education Officer and the rest has to be reconciled. It is further submitted that allegation of defalcation of sum of Rs. 3, 41, 252/- is not attributable to the petitioner at this stage as the School building is still under construction and the materials purchased are lying there. He also submits that the amount has to be reconciled after final calculation and that the petitioner is a Government servant and the matter relates to accounting.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar (Mufassil) P.S.Case No. 285 of 2013, subject to the condition that the petitioner will appear before the learned Court below with all papers, which are necessary for reconciling the amount as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J)

Sudha/-

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