

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64040 of 2018

Arising Out of PS. Case No.-389 Year-2018 Thana- SIWAN CITY District- Siwan

Sobha Kumari, Daughter of Late Ved Vrat Brahmachari, Resident of Mohalla- Sonar Toli, P.S. Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-12-2018 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of her arrest in connection with Siwan Town P.S. Case No. 389 of 2018 dated 19.06.2018 instituted for the offences under Sections 409 and 420 of the Indian Penal Code.

The petitioner is alleged to have caused disappearance of certain documents of the school.

Learned counsel appearing for the petitioner in her defence has submitted that for no apparent reason and *de hors* the rules, she was transferred from the school where she was posted and against such transfer, she had made a representation before the concerned authority. Even after coming to know that her transfer was vindictive, she was making preparation for handing



over the charge but to her dismay, she found the locks of the almirah tampered with. It has further been submitted that prior to the aforesaid, a representation was given by the petitioner on 22.12.2017 to the Block Development Officer intimating him that there has been some manipulation in the attendance register of one of the teachers of the school viz. Usha Kumari.

As has been argued by the learned counsel for the petitioner, since the petitioner had been instrumental in pointing out the irregularities in the running of the school, she was targeted. A raid was conducted and a report was given indicating that certain documents were found missing from the record room of the school. The documents which are said to be missing are such documents which cannot, if withheld from the authorities and kept by the petitioner, be converted into any valuable security. There is no allegation of any embezzlement of fund or withholding of such documents to create a defence for any such allegations coming up in future.

Considering the aforesaid arguments, the petitioner above named is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on her



furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 389 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However it is made clear that the petitioner shall cooperate in the investigation and any attempt on her part to withhold any information to which she is privy would be viewed seriously. In that event, the investigating agency would be entitled to proceed ahead for cancellation of anticipatory bail.

(Ashutosh Kumar, J)

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