

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14809 of 2018

Arising Out of PS.Case No. -102 Year- 2011 Thana -NABINAGAR District- AURANGABAD

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Smt. Rashmi Gupta, D/o Sri Ranjit Kumar, Resident of Village Karamdih, P.O. Gosaidih, P.S. Navinagar, District- Aurangabad, Presently Posted as Incharge Head Master, Primary School (Now it is upgraded as Middle School). Karamdih Majhiyama Gram Panchayat, P.S.- Nabinagar, District- Aurangabad. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with Nabinagar Police Station Case No. 102 of 2011 registered for the offence under section 420/34 of the Indian Penal Code.

Allegation as per written report of Block Education Officer is that this petitioner being Incharge of Head Master of school did not submit A.C. and D.C. bill with respect to Rs.1,00,000/- which was sanctioned for construction of boundary wall of the school.

The learned counsel for the petitioner submits that the petitioner took charge of Head Master on 16.05.2008 from outgoing Incharge Head Master Arvind Kumar, but no such amount was given while giving charge. The matter was enquired by Block



Education Officer who also reported that no such amount was credited in the school account. The allegation against this petitioner does not find support from the materials on record.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the above named petitioner is allowed and she in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Argangabad in connection with Nabinagar Police Station Case No. 102 of 2011, subject to conditions as laid down under section 438(2) Cr.P.C. with further condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court.

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(Sanjay Kumar, J)

