

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5556 of 2018

Arising Out of PS. Case No.-50 Year-2015 Thana- KARAKAT District- Rohtas

Pushpa Devi @ Pushpa Kumari, Wife of Abhay Kumar Pandey, Resident of Village- Raghunathpur, Police Station- Karakat, District- Rohtas, at present posted as Prakhand Teacher, Upgraded Middle School, Raghunathpur, Police Station- Karakat, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 22-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Karakat P.S. Case No. 50 of 2015, instituted for the offence under Sections 409,406,420 of the IPC.

Learned counsel for the petitioner has submitted that she joined in the school as Prakhand Teacher and at present working as Headmaster-in-charge of Upgraded Middle School, Raghunathpur. She took over the charge of account of the school on 26.07.2014, and the alleged defalcation of amount of fund of BPL uniform is for the year 2011-12 and school grant for the year 2013-14. The petitioner has enclosed the charge-report as Annexure-2 to this petition.

Learned counsel for the petitioner has further submitted that she was made Headmaster-in-charge by letter dated 13.03.2014 issued by the Block Education Officer. The petitioner has



started withdrawal of money from the school account from 27.03.2015, and she has submitted full and final account along with utility certificate to the concerned authority.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Karakat P.S. Case No. 50 of 2015, to the satisfaction of the learned Judicial Magistrate 1st Class-cum-Additional Magistrate V, Bikramganj, Rohtas, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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