

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55200 of 2017

Arising Out of PS.Case No. -293 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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Gita Kumari, Wife of Sri Suresh Sah, Resident of Village- Meghauna, P.S.-
Alauli, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Khagaria**
(Chitragupta Nagar) P.S. Case No. 293 of 2015, G.R. No. 1187
of 2015 instituted for the offence under Sections 420, 406 and 409
of the Indian Penal Code.

There is allegation against this petitioner that while
she was working as In-charge Head Mistress of Middle School
Sanokhar, has illegally withdrawn an amount of Rs.1,65,000/-
from the Bank and did not return the aforesaid amount. It is
further alleged that petitioner is absent from the school without
information since January, 2014.

Learned counsel for the petitioner has submitted that
petitioner, in her tenure of Headmistress, withdrew the amount



from M.D.M's account and spent the said amount in the school. But from the written report it appears that no account was given by this petitioner with regard to spending of the said amount after withdrawal from the Bank. It has further been submitted that District Programme Officer has ordered for initiation of Departmental Proceeding against this petitioner.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail. In the event the petitioner become ready to deposit an amount of Rs.1,65,000/- at the time of her surrender in the court below subject to final decision of case, the court below will pass appropriate order in accordance with law without being prejudiced by aforesaid order preferably on the same day.

(Sanjay Priya, J)

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