

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63482 of 2017

Arising Out of PS. Case No.-77 Year-2017 Thana- SONBERSA District- Saharsa

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Nirmala Devi, Wife of Srinandan Paswan, resident of Village- Khara, Ward No. 9, P.S. Uda Kishanganj District- Madhepura, at present posted as an Assistant Teacher in Middle School Raghunathpur Jawahar Block- Sonbarsha East, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1, Advocate

For the Opposite Party/s : Mr. CHAUBEY JAWAHAR, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-02-2018 Heard counsel for the petitioner and counsel appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Sonbarsa Raj P.S. Case No. 77 of 2017 for offences under Sections 406, 409 and 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a teacher in Government Middle School, Raghunathpur. She was assigned the responsibility of certain construction work by the State authorities. The Block Education Officer has lodged the complaint at the instance of District Programme Officer, Sarv Shiksha Abhiyan, Saharsa, wherein allegation has been levelled that the petitioner was allocated Rs. 7 lacs and odd. Referring to Annexure-3 he submits that the



amount allocated to the petitioner was utilized for the purpose the fund was allocated and nothing is to be recovered from the petitioner. He has also placed reliance on Annexure-4 to submit that similarly circumstanced another accused, Ashok Kumar has been granted anticipatory bail by this court vide order dated 9.11.2017 passed in Cr. Misc. No. 53625 of 2017.

Considering the fact that similarly circumstanced teacher was granted anticipatory bail by this court vide order dated 9.11.2017, the court is inclined to grant anticipatory bail to this petitioner also. Let the petitioner, above named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Sonbarsa Raj P. S. Case No. 77 of 2017, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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