

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25314 of 2018

Arising Out of PS. Case No. -109 Year- 2017 Thana -BELDAUR District- KHAGARIA

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Priyanka Kumari, Wife of Mirtunjay Kumar @ Mritunjay Kumar, resident
of Village- Itmadi, P.S. Beldour, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 25-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends her arrest in connection
with Beldour P.S. case no. 109 of 2017 for the offence under
Sections 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that at the
relevant time, the petitioner was the incharge headmaster and as
such she was deputed the responsibility of construction of building
of the school and there is allegation that the fund allocated for
construction of building was not properly utilized and as per the
measurement made by the junior engineer Rs.5,54,067/- is alleged
to be defalcated by the petitioner. Learned counsel for the
petitioner submits that in fact, the petitioner has completed the
construction work and as such she is not liable to pay anything. He



submits that the authorities are required to undertake fresh measurement and after fresh measurement and accounting, if the authorities raised the demand, the petitioner will ensure the payment of the same, if at all the petitioner is liable to make payment for any of the amount, which is not properly utilized.

Considering the aforesaid, the petitioner, named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Khagaria in connection with Beldour P.S. case no. 109 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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