

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.755 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -PIRI BAZAR District- LAKHISARAI

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Smt. Sulekha Bharti W/o Bijay Kumar Suman, R/o Village- Konipar,
Manikpur, P.S.- Manikpur (Surajgarha), District- Lakhisarai, the then I/C
Headmistress of Primary School Mahsoni Western Part Khaira Musahri.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Piri Bazar P. S. Case No. 97 of 2017 registered under Section
409/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that on erroneous facts, an FIR has been instituted for
alleged defalcation of Rs.40,382/- against the petitioner and two
others in construction of school building. He submitted that the
scheme was of the year 2006-07 and the entire construction work
was done prior to the institution of the FIR, but FIR has been
instituted in the month of October, 2017. He submitted that during



the relevant time, the petitioner was In-charge Headmistress and other two co-accused are ex-president and ex-secretary of the education committee of the school. He submitted that the petitioner is still a teacher in the primary school and having got roots in the society, she is not likely to abscond or tamper with the evidence.

Having regard to the nature of allegation, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Lakhisarai in Piri Bajar P. S. Case No. 97 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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