

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9851 of 2018

Arising Out of PS.Case No. -43 Year- 2016 Thana -DEO District- AURANGABAD

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1. Savita Kumari W/o Prasad Ram, R/o Village- Berhna, P.S.- Dhibra,
District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-04-2018 The petitioner is apprehending his arrest in connection
with Deo P.S. Case No. 43/16, registered for offences punishable
under Sections 409, 420, 406 and 34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be a
Headmistress is of defalcating the amount meant for execution of
civil work but neither construction could be done nor she returned
the money.

Submission of learned counsel for the petitioner that she
has completed the work for Rs. 4,80,000/- and she has also
deposited MB in this regard and so far allegation of defalcation of
Rs. 10,00,000/- is concerned she is ready to deposit the same if
some reasonable time is allowed.

Heard learned A.P.P. also.



Having heard both sides, in view of the submission of learned counsel for the petitioner, let petitioner surrender before the court below within a period of six weeks along with a demand draft of Rs. 5,00,000/- to be deposited in the court below and the court below after verifying the same shall grant the privilege of provisional anticipatory bail to the petitioner for a period of five months, during which period the petitioner shall deposit the remaining amount of Rs. 5,00,000/- in five equal installment to be deposited in the first week of each month and only after depositing the entire amount, the court below shall confirm the provisional anticipatory bail of the petitioner. It is made clear that failure to deposit any of the installments shall make the petitioner liable for cancellation of his provisional anticipatory bail. It is also made clear that the petitioner shall cooperate in the investigation and make herself available as and when required by the police and on the event of failure on her part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bonds.

The above amount deposited by the petitioner shall be released in favour of the District Programme Officer, Primary Education and Sarv Shiksha Abhiyan, Aurangabad to be deposited under the relevant head.



In the meanwhile, the District Programme Officer shall
verify with regard to completion of work so far amount of Rs.
4,80,000/- is concerned.

(Vinod Kumar Sinha, J)

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