

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49648 of 2018

Arising Out of PS. Case No.-102 Year-2011 Thana- NAVINAGAR District- Sitamarhi

Usha Kumari W/o Anil Kumar Singh, R/o Vill.- Salaiya P.S.- Mali District-
Aurangabad at present posted as Head Master of Middle School Gamharia,
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Sahin Begam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection
with Nabinagar P.S. Case No. 102 of 2011 registered under
Sections 420, 34 of the Indian Penal Code.

Allegation against the petitioner and other co-accused
persons that they have not returned the allocated amount to the
respective schools and also they have not submitted AC/DC bill
properly.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case. It has been further submitted that petitioner is the Head
Mistress of Gamharia Middle School and her name is mentioned
in the FIR at serial No. 23 in which no specific allegation has
been mentioned and no date has been mentioned of giving the
amount to the petitioner. It has been further submitted that



petitioner has not withdraw the alleged amount of Rs. 40,000/- for preparing which was allotted to her school. The entire amounts was withdrawn by one Santosh Thakur who took charge from the petitioner. Petitioner was transferred on 30.06.2009 and after her transfer she gave entire charge of the school to one Santosh Thakur. It has been further submitted that similarly placed co-accused have been granted anticipatory bail by this Hon'ble Court as contained in Annexure- 5 series. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner 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 C.J.M., Aurangabad, in connection with Nabinagar P.S. Case No. 102 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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