

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18775 of 2019**

Arising Out of PS. Case No.-91 Year-2016 Thana- ARER District-
Madhubani

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Anita Devi, Female, aged about 35 years, W/o Pravindra Kumar Ray
Resident of Village - Dahila , P.S.- Arer, Distt.- Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 406, 409, 420/34 of the Indian Penal Code registered in connection with Arer P.S. Case No. 91 of 2016.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be the Secretary of the Middle School , Dahila. The petitioner is not named in the F.I.R. The petitioner was in no way concerned with the Government funds and the account meant for construction of school building which was to be continued by the Headmaster and senior most teacher and the account was not to be transferred to the newly elected Secretary (petitioner) until completion of construction, as evident from the minutes of the meeting dated 16.02.2012 of the Vidyalaya Shiksha Samiti (Annexure-2). Similarly situated co-accused Ina Devi has been granted anticipatory bail by this Court in Cr. Misc. No. 10508 of 2019. The petitioner claims clean



antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri P. Kishor, learned Judicial Magistrate 1st Class, Benipatti, District- Madhubani in connection with Arer P.S. Case No. 91 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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