

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.32433 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- SALIMPUR District- Patna

SUNITA KUMARI W/o Surendra Das @ Surendra Mochi Resident of Village- Kedarchak, P.S.- Athmalgola, District- Patna, At present in- charge Headmistress, Primary School, Salimpur, Pokharpar, P.S-Bakhtiyarpur, Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 16-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Salimpur P.S.Case No.313 of 2018 , registered for offences punishable under Sections 406, 409, 420 of the Indian Penal Code.

Petitioner happens to be Incharge Headmaster of a school and Rs.5,88,000/- has been allotted to the school for construction of additional rooms . Allegation is that she has completed the work of only Rs.3,57,159/- and misappropriated rest of the amount.

Submission of the learned counsel for the petitioner is that as a matter of fact the demand of *rangdari* was made from her and as such the work was stopped and in this connection she has given an application to the Block Development Officer, Bakhtiyarpur but no action was taken. The petitioner is still ready to return rest of the amount or to



complete the work.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, since the petitioner is a lady and also ready to deposit the rest of the amount, as such let the petitioner, above named, surrender before the learned court below by 31.05.2019 with a bank draft of rest of the amount of Rs.2,30,000/- and odd payable in the name of the Block Education Officer, Bakhtiyarpur, she will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Barh, Patna in connection with Salimpur P.S.Case No.313 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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