

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67753 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- CHARPOKHARI District- Bhojpur

CHINTA GUPTA, Female, aged about 35 years, Wife of Vishwanath Prasad,
Resident of Village- Charpokhari, P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-12-2019 Heard both sides.

The petitioner seeks bail in Charpokhari P.S. Case No.131
of 2018, registered under Sections 406 and 409 of the Indian Penal
Code.

In sum and substance the allegation against the petitioner
is that the petitioner being the Headmaster of Primary School,
Agnuchak, Block Charpokhari, District Bhojpur withdrew
Rs.13,39,200/- for construction of five additional class rooms in the
financial year of 2010-11 and 2011-12 respectively but the petitioner
got the works only up to lintel level and she spent only Rs.3,13,615/-
on construction of five additional class rooms and the petitioner is
alleged to have defalcated Rs.10,25,585/-.

Learned counsel for the petitioner submits that of course
the petitioner could not be able to construct the building during the
financial year but after institution of the case, the petitioner got



substantial construction work of the building. The petitioner undertakes to complete the entire construction work within three months from the date of her release to the satisfaction of the authority. Rs.2,40,000/- is still lying in the account of the school for construction of five additional class rooms of the school. Petitioner is in jail since 09.08.2019.

Having considered the facts that the petitioner has undertaken to get the construction work of all the additional five class rooms completed within three months from the date of her release to the satisfaction of the Block Education Officer and the fact that the petitioner has already remained in jail for about four months, petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-X, Bhojpur, Ara in connection with Charpokhari P.S. Case No.131 of 2018, subject to the condition that the petitioner shall furnish the certificate of completion of work of five additional class rooms after three months duly issued by the Block Education Officer in court failing which the court shall cancel the bail bond of the petitioner immediately thereafter.

(Prabhat Kumar Jha, J)

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