

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77363 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- LAKHISARAI District- Lakhisarai

NUTAN KUMARI Wife of Ranjeet Kumar Posted as Panchayat Teacher, Primary School, Harijan Tola, Iton, Chanan, District- Lakhisarai, At present Resident of Mohalla- Daulatpur Railway Colony, Quarter No. 534/AB Road No.- 1, P.S.- Jamalpur, District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Verma

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-03-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 409 and 120B of the IPC.

The prosecution case as per the written report of the District Program Officer (Establishment), Education Department, Lakhisarai submitted to the SHO, Lakhisarai is to the effect that the informant being the Program Officer came to know through a complaint filed by the petitioner that the then clerk Umeshwar Nath who got superannuated on 31.12.2016, on 30.12.2016, got his signature forged in connivance with the then Program Officer Shyambabu Ram, on advice documents and the petitioner fraudulently embezzled the amount of Rupees Two Lacs Ninety Thousand Six Hundred Twelve and got it



transferred in her own bank account.

It is submitted by learned counsel for the petitioner that in fact the petitioner submitted a complaint against the Head Master Saurabh Kumar Ram but that complaint has been misused and the present FIR has been registered against the petitioner and in fact the alleged amount of Rupees Two Lacs Ninety Thousand Six Hundred Twelve was transferred in the bank account of the petitioner as her salary and maliciously in the present case, the informant has now raised the question with regard to legality of appointment of petitioner as teacher. The petitioner is still working and no proceeding has been initiated against her. Admittedly, the alleged amount has been transferred in the respective bank account of the petitioner and other similarly situated persons with the signature of the then Program Officer.

Learned APP submits that it appears that fraudulently the amount has been transferred in the account of the petitioner.

Considering the fact that no proceeding with regard to alleged illegal appointment of the petitioner has been initiated by the authorities concerned and the transfer of amount has been made by signature of the then Program Officer coupled with the fact that petitioner is a lady and she is still working, let the



petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Lakhisarai in connection with Lakhisarai P.S. Case No.87 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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