

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5780 of 2020

Arising Out of PS. Case No.-808 Year-2019 Thana- DANAPUR District- Patna

Nivedita Jha D/O Sushil Kumar Jha Resident of Flat No. 403, Ramshayam
Niketan, Nehru Nagar, Patliputra, P.S.- Patliputra, Distt.- Patna.. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Krishna Bariar, Adv
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 09-12-2021 Heard the parties.

The petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 419,420,467,468,471 of the Indian Penal Code.

Petitioner was Assistant in Indrapuram Public School, Danapur, Patna. Allegation is that she had not deposited the collected fee in the School Account and defalcated the same. The informant has claimed Rs. 15,21,920/-(Fifteen Lacs Twenty One Thousands Nine Hundred Twenty) from the petitioner.

Learned counsel for the petitioner submits that the petitioner resigned from her job and went for higher education, however, in view of the institution of criminal case, father of the petitioner has given undertaking that he would make payment of the aforesaid amount in six monthly installments.

If the petitioner would fail to pay any of the



installment, that would be a ground for cancellation of this bail.

Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on **provisional anticipatory bail for the aforesaid period** on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Danapur P.S.Case No.808 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the learned Trial Court.

If the learned court below would be satisfied that entire money has been refunded that would be a reason for confirmation of the provisional anticipatory bail by the



learned court below itself.

(Birendra Kumar, J)

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