

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28513 of 2022

Arising Out of PS. Case No.-272 Year-2021 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Sudha Kumari, wife Of Shri Shobhanand Kant Resident Of Mohalla -
Kashipur Court Road, Ward No. 12, P.S.- Samastipur Town, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending her arrest in a

case registered for the offences punishable under

Sections 406, 409, 467, 468, 120(B), 504, 506 of the

Indian Penal Code.

It is alleged against the petitioner that the

petitioner, after being discharged from the post of

Principal of the college, has misappropriated Rs. 25

lakhs from the fund of the college in collusion with the

Manger of the Punjab National Bank and thereby



committed financial irregularities with the fund of the college.

It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. The petitioner is the Principal of K.S.S College, Mohiuddinnagar, Samastipur and she was selected as a Principal on 24.06.2018 which has already been affirmed by the Bihar School Examination Board vide its letter dated 26.09.2019 and being the Principal of the college, she withdrew the money for the purposes of development projects, salary disbursement and for other official expenses. It is further submitted that the informant is the President of the said college who used to pressurize the petitioner to disburse the salary to his favourite persons who were never attended the college and their attendance were not up-to-date. Fed up with the coercion and pressure, the petitioner has lodged an F.I.R against the informant on 20.12.2021, prior to the lodging of the present F.I.R.



Hence, the present F.I.R is nothing but a counter blast of the same in order to save his skin. Moreover, prior to lodging of the present case, on a complaint made on behalf of the informant, an enquiry was conducted by the District Programme Officer, Secondary Education/Literacy, Samastipur where it was found that the complaint lodged against the petitioner was filed with *mala-fide* intention to harass the petitioner. In that regard, a report was also submitted by the District Education Officer, Samastipur to the Deputy Secretary, Education Department, Bihar, Patna and in that also, it was clearly mentioned that the allegations made by the complainant were not found true. The complaint regarding irregularity, defalcation, misappropriation of funds had travelled to the office of the Departmental Secretary, Principal Secretary, Education Department, Bihar, Patna at the behest of the same complainant and his appeal was also dismissed as the allegations made were not found true.



In the facts and circumstance of the case, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Samastipur in connection with Mohiuddinnagar P.S. Case No. 272 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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