

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45675 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- BARIYARPUR District- Munger

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Savitri Kumari W/O Uday Shankar Mandal R/O Village- Ratanpur, P.S-
Bariyarpur, Distt.- Munger at present Incharge Headmistress, Chiraiyabad,
Bariyarpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 409 & 420
of the Indian Penal Code.

3. As per the prosecution, the petitioner has not
distributed the mid-day meal in between 09.02.2023 to
21.02.2023 due to which defalcation of Rs.8,682.50/- and
159.350 Kg Government food as well as provision relating to
the Food Security Act, 1985 has alleged to be violated. The
petitioner who is accused in the said case, is working as In-
charge Principal, Mid-Day Meal, Chiraiyabad, Bariyarpur,
Munger.

4. Counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that the progress report about distribution of mid-day meal has been submitted every month to the District Programme Officer and vide Annexure-2, she has submitted the entire details of supply of the mid-day meal before the State officials on 04.03.2023 itself in which she has already shown that from 09.02.2023 to 21.02.2023, meal has not been distributed due to non-availability of the cook and the gas cylinder and she has also made pleadings in paragraph-9 of the bail application in this regard.

5. Counsel further submits that even after submission of the report on 04.03.2023, the officials have not verified the documents available in the office and without verification of the same, filed the present F.I.R. Counsel submits that the petitioner is innocent and the present case has been filed only with a view to harass her.

6. Counsel further submits that antecedent of the petitioner is clean and she is 40% disabled. Counsel also submits that she has every respect of law and ready to fulfill all the conditions whatsoever shall be imposed upon her.

7. Learned APP for the State opposes the prayer for

bail.

8. In the facts and circumstances., let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Munger in connection with Bariyarpur P.S. Case No.51 of 2023 , subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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