

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31161 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- CHANPATIA District- West Champaran

Asha Devi Wife of Mahendra Kishor Paswan Resident of Village- Barohiya
Chaubey Tola, P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Chanpatia P.S. Case No. 10 of 2019,
registered for the offence punishable under Sections 420, 468
and 34 of the Indian Penal Code.

An FIR has been lodged making an allegation that
the petitioner has illegally entered into service as Anganwari
Sevika as at that time her age was 16 years 10 months and 20
days below the 18 years.

Learned counsel for the petitioner submits that in
2003 she was entered into service and at that time under the
Scheme the minimum age for recruitment as Anganwari Sevika



was 15 years to 45 years inasmuch as it is not the case of the prosecution that she was given a wrong date of birth, but she was given a correct date of birth and this dispute arose on account of fact that she has applied for different centre, where her name was within the range of consideration and on that account her rivalry lodged a case and the petitioner has made an accused. Learned counsel for the petitioner submits that there is no allegation that she has suppressed her date of birth rather she has given the correct date of birth.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bettiah, District-West Champaran, in connection with Chanpatia P.S. Case No. 10 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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