

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89722 of 2024

Arising Out of PS. Case No.-78 Year-2017 Thana- GOGRI District- Khagaria

Asha @ Amrita Devi @ Asha Devi Wife of Ashok Patel R/O-Village-
Katghara Panchayat Etahri, P.S.- Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-01-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Gogari Police Station Case No. 78 of 2017,
disclosing offences under Sections 420, 120(B) of the Indian
Penal Code.

3. As per the FIR, inquiry was conducted by the
informant in which it has come to light that the petitioner has
taken benefit of Indra Awas Yojna twice on the same land for the
year 2004-05 and year 2009-10.

4. Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and she has falsely been implicated in this case because she
happens to be the daughter-in-law of Hira Devi. The name of the



husband of petitioner is Ashok Patel but the real name of petitioner is Amrita Devi but during the course of investigation, in the FIR, she has wrongly been shown as Asha Devi. This fact has come to light during the course of investigation. The petitioner has never availed the benefit of Indra Awas Yojna on her land. During the course of investigation, the petitioner was given benefit of Section 41A of the Code of Criminal Procedure but now the charge sheet has been submitted and the petitioner has apprehension of arrest.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that during the course of investigation, the petitioner was given benefit of Section 41A of the Code of Criminal Procedure, the allegation against the petitioner is based upon documents for which custodial interrogation may not be necessary and the petitioner is a lady, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Gogari Police Station Case No. 78 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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