

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35572 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -MUFFASIL District- AURANGABAD

1. Dhankeshwari Devi W/o late Shiv Yadav Resident of Village- Khakhara,
Tola Parasa, P.S. Muffasil, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 31-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and 3, 4, 5 of the Bihar Mines Act.

The prosecution case is that two tractors carrying sands were intercepted on suspicion of conducting illegal mining when one of the tractor driver namely Arun Kumar Yadav was apprehended while others escaped from the scene. The apprehended driver disclosed the name of the petitioner as owner of one of the tractors.

It is submitted by the learned counsel for the petitioner that admittedly petitioner was not aware about sand carried by the tractor. This is not the case of the

prosecution that petitioner was on the tractor when the seizure was made. Petitioner is owner of a public carrier. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 35 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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