

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54646 of 2017

Arising Out of PS.Case No. -448 Year- 2017 Thana -RAJAUN District- BANKA

=====

Soni Kumari, wife of Avinash Kumar, resident of Village- Old Bus Stand,
Ward No. 11, P.S. & District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends her arrest in connection with
Rajaun P.S. Case No.448 of 2017 registered under Section 379,
411, 420, 467 and 468 of the Indian Penal Code besides Sections
4/40 of the B.M.M.C. Rule 1972, Sections 3, 6 and 8 of the B.M.
Rule 2003 and Sections 4/21 of the M.M.R.D. Act 1957.

The accusation is that on 05.09.2017, one Mini Hywa
bearing Registration No.BR51G1776 carrying the sand with
Challan was seized but, on verification, it was found that the
maximum distance was mentioned in the Challan was 15-16
kilometers and covering the same distance, the maximum time



may be taken 1-2 hours but the same took 52 hours. As such, on the same Challan, sand was being carried by the aforesaid Mini Hywa for 2-3 trips.

Learned counsel appearing on behalf of the petitioner submits that the petitioner, who is lady, is the owner of the seized Hywa and on valid Challan, the sand was being carried but, on mere suspicion, due to delay in reaching at the destination, the Mini Hywa of the petitioner was stopped and seized by the police with the allegation of carrying the sand for 2-3 trips illegally on one Challan. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Rajaun P.S. Case No.448 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

