

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51516 of 2017

Arising Out of PS.Case No. -148 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Usha Pandey, W/o Ashok Kumar Pandey, R/o Village-152 Chawaniya
Sanghaliyan Shahjadpur, P.S.- Akbarpur, District- Ambedkar Nagar (Uttar
Pradesh).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

2 06-11-2017 Let the supplementary affidavit filed on behalf of the
petitioner be kept on the record.

Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends her arrest in connection with
Aurangabad (Muffasil) P.S. Case No.148 of 2017 registered under
Sections 379 and 411 of the Indian Penal Code besides Sections 3, 4
and 5 of the Mines Act.

The accusation is that on receiving secret information about
carrying the illegal sand on loading at the truck bearing Registration
No.UP45T-2530, the informant being the A.S.I. of Muffasil Police
Station, Aurangabad, alongwith other police officials reached at the
road where one truck was seen coming. On seeing the police party, the



driver of the truck started to flee away stopping the truck. The driver of the truck was apprehended, who disclosed his name as Vijay Kumar Mishra but he could not produce the paper about loading of the illegal sand on the truck and he disclosed that the illegal sand was loaded on the truck on the instruction of the owner of the truck (petitioner).

Learned counsel for the petitioner submits that, in fact, he petitioner had no knowledge about carrying of illegal sand on the truck by the driver. The petitioner is lady and 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, Aurangabad, in connection with Aurangabad (Muffasil) P.S. Case No.148 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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