

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3475 of 2018

Arising Out of PS.Case No. -250 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Sunita Devi, Wife of Ranjit Kumar Singh, resident of Village- Kobil,
Police Station- Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Islampur P.S. Case No. 250 of 2017 registered for the offence
under section 379/34 IPC, section 4/40 of Bihar Minor Mineral
Concession Rules, 1972 and section 8 of Bihar Minerals
(Prevention of Illegal Mining Transportation and Storage) Rules,
2003.

The accusation is that a tractor bearing Registration
No. BR-21G-4781 along with a tractor without registration
number, Engine No.3100DL 63F563957F3, Chesis
No.EZQSF570659SM illegally loaded with sand was intercepted
by the informant being the police official. The driver of tractor



bearing No. BR 21G 4781 namely Satish Ravidas was also apprehended who disclosed the name of the owner of the same as Om Mahto alias Om Jee, who has been allowed anticipatory bail by one of the coordinate Bench of this Court in Cr. Misc. No.47328 of 2017.

Learned counsel for the petitioner submits that the petitioner is the owner of the seized tractor and she had no knowledge about the loading of the illegal sand on the aforesaid tractor by the driver of the aforesaid tractor. The petitioner has no criminal antecedent. The case of petitioner stands on similar footing to the case of co-accused who is on bail.

Considering the facts and circumstances, as stated above, the prayer for bail is allowed and the above named petitioner, in the event of arrest or surrender before the court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Hilsa in connection with Islampur P.S. Case No. 250 of 2017, subject to the conditions as laid down under section 438 (2) Cr.P.C. with further condition that (1) one of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned



Court, (2) the petitioner will not induce any witness or tamper with the evidence (3) the petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court and on the event of failure on her part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail and (4) If the petitioner is found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of her bail.

(Sanjay Kumar, J)

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