

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50579 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -KASHICHAK District- NAWADA

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1. Bandana Jha, Wife of Dilip Jha @ Dilip Kumar Jha, Resident of Pahsaul, Police Station - Katara Mushari, District - Muzaffarpur.
 2. Mukesh Kumar Ray, Son of Chandeshwar Ray, resident of Laxmaniya Tola, Bishanpur, P.S. - Muraul, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-09-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code, Section 4/40 of the Bihar Minor & Mineral Concession Rule, 1972, Section 21 of the Mines and Mineral (Development and Regulation) Act, 1957 and Rule 3/8 of the Bihar Mineral (Prevention of Illegal Mining, Transportation and Storage), 2003.

Petitioner no. 1 Bandana Jha is owner of the vehicle which was carrying sand without any authority and challan. Petitioner no. 1 was not there.



Hence, let the **petitioner no. 1 Bandana Jha**, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Kashichak Police Station Case No. 77 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 1 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

Petitioner no. 2 Mukesh Kumar Ray was driver of the said truck who fled away seeing the police party.

Considering the nature of allegation against the petitioner no. 2, I am not inclined to enlarge him on anticipatory bail. Hence, his prayer for anticipatory bail is refused.

Petitioner no. 2 may surrender within a period of two weeks from today and pray for regular bail.

(Birendra Kumar, J)

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