

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2855 of 2018

Arising Out of PS.Case No. -254 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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Mira Devi, W/o Bihash Singh @ Dibba , R/o Village- Kamalpur, P.S.-
Sajour, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Shahkund**
(Sajaur) P.S. Case No. 254 of 2017 instituted for the offence
under Sections 471, 379, 411, 188/34 of the Indian Penal Code,
Section 40 B.M.C.C. Act, 1972 and Sections 6/8 of Illegal Mining
Transporting and Storage Act, 2003.

It is alleged in the written report that police
apprehended one tractor alleged to be loaded with sand without
any valid paper. The driver disclosed that said tractor belongs to
this petitioner.

As per written report itself, the petitioner was neither
present on the spot nor there is recovery of sand from her
possession. She is a lady.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Shahkund P.S. Case No. 254 of 2017**, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Bhagalpur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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