

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27991 of 2020

Arising Out of PS. Case No.-365 Year-2019 Thana- PUPRI District- Sitamarhi

SONI KUMARI W/o Ajay Prasad Resident of Village-Chainpura, Police
Station-Pupari, District-Sitamarhi.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Jha, Advocate.
For the State	:	Ms. Indu Kumari Srivastava, A.P.P.

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

ORAL ORDER

2 12-02-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 17.10.2020, within four weeks of starting of the Court proceeding in physical mode.

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

The petitioner apprehends her arrest in connection with Pupari Police Station Case No.365 of 2019 registered under Sections 188 and 379 of the Indian Penal Code besides Sections 4/40 of the Bihar Mines and Minerals Concessions Act and Rules 26(a), 40, 8, 10, 86 and 15 of the Environment Act.

The accusation is that the petitioner being the proprietor of M/s Palak Int Udyog was running the brick-kilns without depositing the cess for the year 2018-19 and without obtaining the required



certificates from the Environment Department.

Learned counsel for the petitioner submits that, in fact, regarding M/s Palak Int Udyog of which the petitioner is proprietor and for other 86 brick-kilns, No Dues Certificate was issued through letter No.331 dated 06.06.2018, which would appear from Annexure-3 to this application. While the cess was not deposited by the petitioner on the date of lodging of the prosecution report on 31.07.2019 but, later on, the petitioner deposited the cess on 03.12.2019, which would appear from Annexure-2 to this application. 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 Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi, in connection with Pupari Police Station Case No.365 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

