

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32753 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- DHURAIYA District- Banka

ALKA TEKRIWAL Wife of Alok Kumar Tekriwal Resident of Ward No.13,
Thana Road, Near Cold Storage, Choudhary Tola, P.S-Bhagalpur Kotwali,
District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 09-02-2021 Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending her arrest in a case
registered under Section 379/411 of the Indian Penal Code,
Section-56 of BMMC (PMTS) Rule 2019 and Section 21 of
MMDR Act 1957 as also Section 15 of Environment
(Protection) Act, 1986.

Allegedly, one Hyba bearing registration No. BR10Q-2795
was found illegally loaded with 700 CFT sand.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. The petitioner has been made accused in the present case due to mistake of fact. The petitioner is a lady and she is said to be owner of the vehicle in question. She had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Dhuraiya P.S. Case No. 235 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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