

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31809 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- SURYAGARHA District- Lakhisarai

1. PUSHPLATA DEVI W/o Mukesh Yadav Resident of Village- Nista, Police Station- Surajgarha, District- Lakhisarai.
2. Dharmendra Yadav S/o Bachandeo Yadav Resident of Village- Nista, Police Station- Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 379/ 411 of the Indian Penal Code, Section 21 of M M (DR) Act and Rule 56(2) BM (CPIMTS), 2021.

It is a case of overloading of illegal sand on the truck. Petitioner No.1 is owner and petitioner No.2 is driver of the truck.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is submitted that truck in question is already in



custody of police. The allegation of overloading is denied It is further submitted that petitioner No.1 is bonafide owner of the truck and she had a valid Challan Pass No. 159711220123073239193. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha PS case No. 46/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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