

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58379 of 2022

Arising Out of PS. Case No.-370 Year-2022 Thana- MADANPUR District- Aurangabad

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Anuja Sinha Wife of Vishal Anand R/o House No. 294, Espace Nirvana
Country, Sector 50, South City Ii, Farrukhnagar, P.S. Sector 50, District
Gurgaon, Haryana.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Indrajeet Bhushan, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Mines Deptt.	:	Mr. Naresh Dikshit, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard learned counsel for the parties.

The petitioner apprehends her arrest in connection with Madanpur P.S. Case No.370 of 2022, registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code, Rules 11, 18, 43, 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules and Section 15 of the Environment Protection Act.

The prosecution case, in brief, is that the informant, who is the ASI of Madanpur P.S. alongwith other police personnel on 03.07.2022 at about 18.30 hours seized a JCB bearing Registration No. BR-01GH-8942 and Chassis No.JAR3DXSSP02813701 in connection with illegal mining of 100'x55'x7' fee soil causing loss of Rs.9,89,538/- to the State.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that as the petitioner is the owner of the said JCB, therefore, she has been made accused in the present case. It is also submitted that the petitioner has paid Rs.4,00,000/- to the Mines Department, which has also come in the impugned order.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Madanpur P.S. Case No.370 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Sanjay/-

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