

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41186 of 2023

Arising Out of PS. Case No.-502 Year-2022 Thana- DELHA District- Gaya

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1. SHEELA DEVI @ SHILA DEVI Wife of Late Badri Yadav Resident of village - Kandi Nawada, P.S. - Chandauti, Distt. - Gaya
 2. Pinku Kumar Son of Chandrika Yadav Resident of village - Kandi Nawada, P.S. - Chandauti, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakhar Pragya D/o Bhudev Prasad Singh The Mines Inspector, Distt. - Mines Office, Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the Department of Mines.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379 and 411/34 of the Indian Penal Code as well as Sections 21MM (D&R) Act, 1957 and 56 BM (CPIMTS) Rules, 2021.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman.
4. The informant alleges that a tractor was seized with 100 CFT of sand for which no *challan* was produced.



5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, they were not apprehended at the place of occurrence and were completely unaware that the driver of the tractor would misuse the vehicle in the manner as alleged but then it is submitted that petitioner no. 1 being owner took the responsibility of his driver and has compounded the offence as has been recorded in the order impugned.

6. Learned A.P.P. for the State and learned counsel appearing for the Department of Mines opposed the prayer for anticipatory bail of the petitioners but then the learned counsel for the Department of Mines fairly submits that from the impugned order, it appears that the offence has been compounded.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Delha



P.S. Case No. 502 of 2022, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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