

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52273 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- NAYAGAON District- Begusarai

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Sima Devi, Wife Of Manish Kumar, R/O Village- Nayagaw, P.O.- Chitraur,
P.S.- Nayagaw, District- Begusarai

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-01-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in

connection with Nayagaw P.S. Case No. 18 of 2022 registered

for the offences punishable under Sections 379 read with

Section 34 of the Indian Penal Code and Section 11 and 56 (I)

(II) of the Illegal Mining and Section 15 of the Environment

Protection Act.

As per the prosecution case, the police got

information about illegal sand mining near Hardat Baba Place.



A raid was conducted and the two tractors bearing registration no. BR09-GA-2307 and BR09-GA-5725 illegally loaded with sand were seized and their drivers namely, Shankar Yadav and Mithu Yadav were apprehended.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the F.I.R. and her name has transpired during the course of investigation. The petitioner is the owner of the tractor and was given to the driver on hire basis. Learned counsel has further submitted that the petitioner had no knowledge about the alleged sand illegally loaded on the tractors and she was not found at the place of occurrence. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and also the fact that the petitioner is a lady, let the above named petitioner, in the event of her arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each



to the satisfaction of learned Additional Sessions Judge-
VIIIth, Begusarai in connection with Nayagaw P.S. Case No.
18 of 2022, subject to the condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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