

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4620 of 2024

Arising Out of PS. Case No.-611 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

1. Lilawati Kumari @ Lilawati Devi W/o Krishna Paswan, D/o Ram Sundar Paswan R/o Village Sandi Matpa , PS Kutumba , Dist. Aurangabad
2. Lalan Kumar Son of Krishna Paswan R/o Village Khap Kataiya , PS Hariharganj , Dist. Palamu , Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code and u/s 194 of M.V. Act.

3. As per the prosecution case, on the basis of secret information, the informant has raided against illegal mining and in presence of two witnesses a search was made of two Pick-Up vans which were half filled with *sil-lodha* were seized.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. Petitioner no.1 is owner of the Pick-Up van and petitioner no.2 is driver



of the said vehicle. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that petitioner no.1 has send her driver to purchase *sil-lodha*, a copy of invoice no. 445 dated 10.11.2023 is being annexed herewith as Annexure-2. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, on perusal of record it is evident that there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sasaram (M) P.S. Case No.611 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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