

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36813 of 2026

Arising Out of PS. Case No.-8 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Saraswati Devi @ Saraswati Devi Wife of Late Kapildeo Mahto As an
operator of M/S Sona Int Ydyog, Resident of Village- Purbi Panchayat, Ward
No. 08, Basopatti, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Pollution Control Board, Parivesh Bhawan, Patliputra Industrial
Area, P.O.- Sadakat Ashram, Patna- 800010, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Adv. Mr. Ram Murti, Adv.
For the Opposite Party/s :		Mr. Arun Kumar Pandey, APP
For BSPCB	:	Mr. Kumar Ravish, Adv. Mr. Rohit Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard the parties.

2. The petitioner is named in the Complaint

Casse and apprehending her arrest in connection with

Madhubani Complaint Case No. 08 of 2019 registered

for the offences punishable under Sections 37 and 38(D)

of Air (Prevention and Control of Pollution) Act, 1981.

3. As per official complaint, petitioner failed to

comply with the provision of Section 37 and 38(D) of Air

(Prevention and Control of Pollution) Act, 1981.

4. It is submitted by learned counsel appearing



on behalf of the petitioner that the complaint is unfounded for the reason that the petitioner submitted petition with required fee under the provision of the Act on 30.04.2019 to run Brick Kiln provisionally in terms of order dated 29.05.2019. It is pointed out that thereafter due to COVID-19 it becomes non operational. Petitioner is a lady of clean antecedent.

5. Learned APP duly assisted by Mr. Kumar Ravish learned counsel for the BSPCB while opposing the prayer of bail could not disputed the submission that the petitioner was allowed provisionally to run his brick klin vide order dated 29.05.2019 (Annexure P/5).

6. In view of aforesaid factual submission and by taking note of fact as the petitioner who is a lady of clean antecedent allowed provisionally to run her brick klin as discussed aforesaid, accordingly petitioner above-named, in the event of her arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Madhubani /concerned Court, where the case is pending in connection with Madhubani Complaint Case No. 08 of 2019, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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