

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7891 of 2025

Arising Out of PS. Case No.-535 Year-2024 Thana- AMARPUR District- Banka

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1. Cintoo Kumar @ Sintu Kumar S/o Bhagwat mandal R/o Village- Khurd Chiray, PS- Jagdishpur, District- Bhagalpur
 2. Anil Kumar Singh S/o Mahendra Prasad Singh @ Mahendra Prasad Mandal R/o vill - Hajipur, P.S - Sajour, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State and learned counsel for the opposite party no. 2.

2. The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 535 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190 126(2), 115(2), 109(1), 132, 303(2), 317(2), 352 of BNS, Section 27 of the Arms Act, Sections 11/41/56(2) of the Bihar Minerals (Concession, Prevention of illegal Mining, Transporation and Storage) Rules 2019 and Sections 4(1)/21 of Mines and Minerals (Development and Regulation) Act, 1957.

3. As per prosecution case, six tractors which are



said to have been loaded with illegally mined sand intercepted. The drivers of the alleged vehicles managed to flee away from the place of occurrence, however, one driver, namely, Gangesh Kumar was apprehended on the spot. It is alleged that total 14,100 cubic feet of illegally mined sand was seized. It is further alleged that 100 – 150 persons came and started pelting bricks and stones on the informant and also started firing on the enquiry team. It is also alleged that the sand *mafia* attacked and damaged the Bolero vehicle of the QRT team.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioner no. 1 bears no criminal antecedent and petitioner no. 2 bears criminal antecedent of one case in which he is on bail. He further submits that petitioners are neither owner nor driver of any of the alleged vehicles in question. He further submits through Annexure 2 of the bail petition that co-accused Pramod Kumar Singh, Ramesh Kumar and Binod Kumar Singh have already been granted anticipatory bail vide Cr. Misc. No. 79173 of 2024 by the Co-ordinate Bench of this Court and on the principle of parity, petitioners also deserve anticipatory bail.

5. The learned A.P.P. for the State as well as the



learned counsel for the opposite party no. 2 opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, co-accused have already been granted anticipatory bail by the Co-ordinate Bench of this Court, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 535 of 2024, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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