

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9098 of 2025

Arising Out of PS. Case No.-602 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Mukesh Kumar Yadav Son of Vishwanath Ray Resident of Village -
Andharbari, P.S. - Taraiya, District - Saran , at Present R/o Mubarkpur, P. S -
Garakha , District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bharat Lal, APP.

For Mines Department : Ms. Kalpana, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-05-2025 Heard Mr. Hemant Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Bharat Lal, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Muffasil P.S. Case No. 602 of 2024 registered for the
offence punishable under Sections 132, 303 (2) and 3(5) of the
BNS, 2023.

3. As per the allegation made in the F.I.R., the
petitioner is said to have fled away along with the tractor
bearing Engine No. 529726444436 and Chassis No.
929815216349 and 125 CFT yellow sand loaded on it.

4. Ms. Kalpana, learned counsel appearing on behalf
of the Mines Department submits that the offence is
compoundable and the petitioner can be released on pre-arrest
bail subject to payment of the compounding fee in accordance



with the provision of Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 (hereinafter referred to as “Rules, 2019).

5. Learned counsel appearing on behalf of the petitioner has no objection and he seeks to avail remedy before the District Mines Officer in accordance with the Rules, 2019.

6. Considering the nature of crime and the same is compoundable, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra in connection with Muffasil P.S. Case No. 602 of 2024, **subject to furnishing of the receipt showing payment of the compounding fee which has been assessed by the Mines Officer having jurisdiction** and subject to the condition as laid down under Section 482(2) of the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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