

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12474 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- AMARPUR District- Banka

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1. Sonu Kumar Choudhary S/O Niranjan Choudhary @ Niraj Pd. Choudhary Resident of Village- Rampur, P.S- Amarpur, Distt.- Banka.
 2. Mukesh Kumar Choudhary @ Mukund Choudhary S/O Rambilash Choudhary @ Bilash Choudhary Resident of Village- Rampur, P.S- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumar Ranjan S/O Jai Prakash R/O Village- Dev, P.S- Dev, Distt.- Aurangabad (Mines Development Officer, Banka).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-04-2025 Heard Mr. Praveen Kumar, learned counsel for the petitioners and Mr. Suresh Prasad Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Amarpur P.S. Case No. 135/ 2024 dated 27.02.2024 registered for the offence(s) punishable under Section(s) 379 of the IPC, section 11, 41, 56(2) of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019 and section 4(1) and 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

3. The primary contention put forth by the learned



counsel for the petitioner is that on a bare perusal of the FIR, it becomes evident that the Mining Development Officer, Banka made a vague allegation against the petitioners and others simply on the basis of a local enquiry regarding which no details has been given and one co-accused, Gautam Kumar Choudhary carrying the similar nature of allegation has been granted bail by a coordinate bench of this court vide order dated 11.12.2024 passed in Cr. Misc. No. 70893 of 2024. Although, there exists a criminal antecedent against the petitioners of one case but it is pertinent to note that the petitioner no.2 has already been granted bail in that matter and the bail petition of petitioner no.1 is pending.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the aforesaid submissions advanced by the petitioners' counsel and mainly taking into account the fact that the allegations made in the FIR are completely vague, this court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Amarpur P.S. Case No. 135/



2024 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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