

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13379 of 2025

Arising Out of PS. Case No.-418 Year-2024 Thana- ROH District- Nawada

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Bipin Kumar Son of Suresh Yadav Resident of Village- Kuturuchak, PS- Pali,
Distt.- Nawada, Country- India

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Indradeo Prasad, Advocate
For the State : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 303(2), 317(2), 317(4),
218(4), 61(2), 111 and 3(5) of the B.N.S.

3. The prosecution case, in brief, is that on
25.12.2024, informant, who is posted as Mines Inspector,
Nawada, received information that three Hyva trucks are
involved in illegal mining and transportation of sand. Upon
information, the investigating officer made inspection and found
that this petitioner has misused the *challan* issued to him and on
one *challan*, petitioner has illegally carried sand multiple times.
Accordingly, the present F.I.R. has been lodged against all the
F.I.R. named accused persons, including this petitioner, for



using three Hyva trucks bearing Registration Nos. BR27GA9576, BR27GA1968 and BR27GA4636 for illegal transportation and sale of sand.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, petitioner was having a valid *challan* and when the Hyva truck was standing on the road, he was intercepted and arrested. Petitioner has falsely been implicated in this case merely because he happens to be driver of one of the seized trucks and was merely performing his duties. It is further submitted that similarly situated co-accused person, namely Ranjay Kumar, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 09.05.2025 passed in Cr. Misc. No. 11362 of 2025. Petitioner has got no criminal antecedents and he is in custody since 26.12.2024. Moreover, charge-sheet has already been submitted.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, period of custody and clean antecedents of the petitioner, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Nawada in connection with Roh P.S. Case No. 418 of 2024.

(Prabhat Kumar Singh, J)

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