

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14722 of 2025

Arising Out of PS. Case No.-683 Year-2024 Thana- FATEHPUR District- Gaya

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Fagu Yadav @ Fago Yadav S/O Late Kisun Yadav R/O Village- Rupin, P.S-
Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Director, Mines and Minerals Department Government of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, A.P.P.
For the O.P. No. 2	:	Mr. Naresh Dikshit, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-10-2025 Heard learned counsel for the petitioner, opposite
party no. 2 and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 303, 111(2)(b), 111(3), 111(4), 111(5), 112(2) of the Bharatiya Nyaya Sanhita and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957, Rule 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules.

3. As per prosecution case, this petitioner, along with other F.I.R. named accused persons, was involved in illegal mining and transportation of sand. Petitioner has got one criminal antecedent of similar nature.



4. After some arguments, while denying the allegations, learned counsel for the petitioner undertakes to pay Rs. 50,000/- (Rs. Fifty Thousand) to the opposite party no. 2.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Chief Judicial Magistrate, Gaya in connection with Fatehpur P. S. Case No. 683 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with direction to the petitioner that :-

(i) Petitioner shall deposit Rs. 50,000/- (Rs. Fifty Thousand) through Bank Draft in the office of Mining Development Officer, Gaya and produce receipt of the same at the time of furnishing bail-bond, failing which, the learned court below would be at liberty to cancel the bail-bond.



7. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail and payment of aforesaid amount shall be subject to final outcome of the case.

(Prabhat Kumar Singh, J)

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