

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16614 of 2025

Arising Out of PS. Case No.-25 Year-2023 Thana- ISHUPUR BARAHAT District- Bhagalpur

Rajesh Kumar Mandal, aged about 34 years, Gender- Male, S/o Balram Mandal, R/o village- Chhoti Mehadi Pokhar, P.S.- Ishipur Barahat, Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Ishipur (Barahat) PS Case No.25 of 2023 dated 03.02.2023, instituted under Sections 378, 379, 411, 420 of the Indian Penal Code and Sections 39(1) (2) (3) (4), 43, 56 of the BMMC Rule

3. The prosecution case, in short, is that the informant, who is a Mines Inspector, along with other police personnel conducted a raid in *Mauja Kushalpur* and its surrounding areas. During raid, it was observed that there were several stone crushers and business of illegal stone was being done without permission of the District Mining Officer.

4. Learned counsel for the petitioner submits that alleged seizure of stone chips has been made in absence of the petitioner by the officials of the Mining Department. The



quantity of the seized stone chips is 1000 CFS and a fine of Rs.1,74,100/- has been imposed on the petitioner which has been paid by the petitioner through *e challan* dated 19.02.2025 which is apparent from Annexure-2. Further submission is that similarly situated several co-accused have been granted privilege of anticipatory bail vide Cr. Misc. No.29267 of 2024 and Cr. Misc. No.51550 of 2024 (Annexure-3 series). Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur, in Ishipur (Barahat) PS Case No.25 of 2023, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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