

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20648 of 2025

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

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Dablu Choudhary @ Jayant Choudhary son of Late Jay Prakash Choudhary
@ Late Prakash Choudhary Resident Of Village -Rampur, Ps -Amarpur, Dist-
Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumar Ranjan son of Jai Prakash village- Dev, Ps- Dev, Dist- Aurangabad
(Mines Development Officer, Banka)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Amarpur P.S.

Case No. 135 of 2024 registered for the offences punishable

under Section 379 of the IPC, Sections 11, 41, 56(2) of the

Bihar Minerals Rules 2021 and Sections 4(1) and 21 of the

Mines and Minerals Act, 1957.

3. The allegation against the petitioner is to be

involved in illegal mining of sand.



4. Mr. Praveen Kumar, learned counsel appearing on behalf of the petitioner submitted that merely on the basis of suspicion petitioner was implicated with the present case, whereas from the facial perusal of FIR his implication appears out of unknown local inputs. It is submitted that save and except suspicion nothing survives against this petitioner. While concluding the argument it is submitted that petitioner found involved in two more cases of different nature, where he is on bail and moreover, similarly situated co-accused namely Gautam Kumar Choudhary has already granted anticipatory bail by learned Co-ordinate Bench of this Court through Cr. Misc. No. 70893 of 2024 vide order dated 11.12.2024.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as prima-facie except suspicion nothing survives against this petitioner, where one of the similarly situated co-accused person has already granted anticipatory bail as aforesaid, accordingly the petitioner above named, in



the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka/concerned Trial Court where the case is pending in connection with Amarpur P.S. Case No. 135 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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