

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22881 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- BELAGANJ District- Gaya

Jitendra Kumar @ Jitendra Yadav Son of Surendra Yadav @ Surendra Prasad
Vill -Jogiya Simra, PS -Belaganj, District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary cum Principal Secretary Mines and Geology,
Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP
For the Mines Dept.	:	Mr. Naresh Dixit, Advocate Mrs. Kalpana, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-07-2025 Heard Learned counsel for the petitioner, Learned
APP for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Belaganj P.S. Case No. 193 of 2024, lodged on 10.04.2024 for the offence punishable under Section 147, 149, 341, 323, 379, 411, 337, 338, 504, 506, 353 of Indian Penal Code and Section 21 of M.M (D&R) Act 1957 and 56 BM (CPIMTS) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, 100 Cubic Feet of sand was illegally loaded on the tractor and petitioner along with other co-accused persons started scuffling with the police party and fled away with the tractor thereafter, this case has been filed against



them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner has total three criminal antecedents. Learned counsel further submits that he is not the owner of the tractor. Counsel submits that he is ready to fulfill all the conditions whatsoever shall be imposed.

5. Learned counsel for Mines and Minerals Department submits that that the fine for 100 Cubic Feet sand is quantified at Rs. 35,650/- and counsel for the petitioner submits that petitioner is ready to deposit the same.

6. Learned APP for the State opposes the prayer for bail.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Additional Sessions Judge-Xth, Gaya in connection with Belaganj P.S. Case No. 193 of 2024, subject to the conditions as laid down U/s 482(2) of the



Bharatiya Nagarik Suraksha Sanhita, 2023 with further conditions.

8. At the time of furnishing the bail bond, the petitioner shall satisfy to the Court:-

(i) He has deposited Rs. 35,650/- to the Department of Mines and Minerals.

(ii) Petitioner is not absconding in any one of the cases pending against him which are as under:-

(a) Belaganj P.S. Case No. 206 of 2013.

(b) Mahkar P.S. Case No. 230 of 2013.

(c) Mahkar P.S. Case No. 265 of 2023.

(Dr. Anshuman, J)

Ankit Kumar/-

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