

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27761 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- RAJAOLI District- Nawada

Pradeep Yadav S/o- Pokhan Mahto Village- Khariodih, Ward No.-1, P.S -
Jainagar, Dist- Koderma (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Department of Mines and Minerals, Government of Bihar, Patna
through Mines Inspector, Nawada Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 303(2), 317(2) of the Bharatiya Nyaya Sanhita, 2023 in
connection with Rajauli P.S. Case No.65 of 2025.

3. The prosecution case, in short, is that on
12.02.2025 at 09:00 PM, a raid was conducted based on secret
information, during which two trucks bearing registration
nos.JH10CE-9340 and JH12K-4980 were found illegally
transporting minor minerals. After inquiry, the drivers and co-
drivers of both the trucks failed to produce valid transportation
documents and were arrested. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. He further submits that except conjecture and surmises, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. Learned counsel for the petitioner next submits that petitioner has been implicated in this case because he happens to be the owner of seized truck.

5. The learned APP opposes the anticipatory bail application.

6. The petitioner claims to have clean antecedent. The petitioner was not originally named in the FIR and he has been subsequently implicated because he happens to be the owner of seized truck bearing registration no.JH12K-4980. The petitioner has produced the copy of the chalan which prima facie demonstrates the miner minerals were being transported lawfully from Giridih to Saharanpur. The search and seizure memo does not bear the names of two independent witnesses which puts question mark on the legality and validity of the seizure itself. Under these circumstances the petitioner has entitled to privilege of anticipatory bail.



7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, I, Nawada in connection with Rajauli P.S. Case No.65 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Sinha, J)

Prakash Narayan

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