

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29676 of 2025

Arising Out of PS. Case No.-1492 Year-2024 Thana- NAWADA District- Nawada

Subodh Kumar Son of Ravindra Prasad Yadav Resident Of Village- Jamuwan
Ps- Kadirganj District -Nawada

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Mining Department,Bihar,Patna Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr.Parmanand Kumar, APP
For the O.P. No.2 : Mr. Naresh Dikshit, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State as also learned counsel for the O.P. No.2.

2. The petitioner apprehends his arrest in connection
with Nawada Town P.S. Case No. 1492 of 2024 instituted for
the offences under Sections 303(2), 317(2), 111(2) of the
B.N.S., 2023.

3. As per prosecution case, the accused persons were
found transporting sand without a valid transportation challan,
and upon inquiry, they failed to provide legal authorization for
the loaded sand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner is the owner of the alleged Tractor bearing Regd. No. BR27GA-4686 and has a valid challan on the date of occurrence but, he has been falsely implicated in this case for illegal gain. He further submits that except suspicion, there is nothing adverse against the petitioner in the entire record of the case. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

5. Learned counsel for the petitioner further submits that the co-accused have been granted regular bail by this Court vide order dated 25.03.2025 passed in Cr. Misc. No. 17648 of 2025.

6. Learned A.P.P. for the State and the Informant oppose the prayer for anticipatory bail of the petitioner. It is further submitted that the petitioner is indulged in the illegal sand mining activity and carrying out multiple trips on a single challan.

7. Considering the entire facts and circumstances of the case and taking into account the nature and gravity of the offence, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the



petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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