

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34195 of 2025

Arising Out of PS. Case No.-683 Year-2024 Thana- FATEHPUR District- Gaya

-
1. Kundan Kumar son of Bipin Singh Village- Badauan, Ps- Fatehpur, Dist- Gaya
 2. Vikash Kumar son of Bipin singh Village- Badauan, Ps- Fatehpur, Dist- Gaya
 3. Chintu Kumar Son of Jang Bahadur Singh Village- Badauan, Ps- Fatehpur, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Mine officer, Gaya bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar , Advocate

For the Opposite Party/s : Mr. Dr. Indiwari Kumari , APP

For OP 2 : Mr. Naresh Dikshit , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 303, 111(2) (b), 111(3), 111(4), 111(5), 112(2) of B.N.S., 2023 and Section 56 of the Mines and Mineral Act.

3 . As per F.I.R., these petitioners are alleged to be



indulged in illegal mining of sand and storage of sand.

4. It is submitted on behalf of the petitioners that these petitioners are innocent and have committed no offence as alleged. Allegation is general and omnibus against these petitioners and they have got no concern regarding the alleged occurrence. Petitioner Nos. 2 and 3 claim clean antecedent.

5. However, learned counsel for the State opposed the bail petition and submitted that petitioner No. 1 is indulged in illegal mining of sand and storage of sand and has got 2 criminal antecedents of similar nature.

6. Considering the fact that petitioner No. 1 has got 2 criminal antecedents of similar nature, his prayer for pre – arrest bail is rejected.

7. Considering the aforesaid facts, clean antecedent of petitioner Nos. 2 and 3 and other circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner Nos. 2 and 3 as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM Gaya in connection with Fatehpur P.S. Case No. 683 of 2024, subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita



(BNSS) , 2023 .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

