

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39821 of 2025

Arising Out of PS. Case No.-595 Year-2024 Thana- RAJAOLI District- Nawada

1. Sujeet Kumar Saw @ Sujeet Kumar Sahu @ Sujit Kumar Sahu S/o Brahamdeo Prasad Sahu @ Brahmdeo Saw Resident of Village- Dhanwan, PS- Dhanwan, District- Giridih (Jharkhand)
2. Pankaj Kumar Verma @ Pankaj Kumar S/o Indrajeet Sonar R/o Vill.- Devipur, PO- Ksheshmi, PS- Markacho, Distt.- Koderma (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mines Department, Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the State	:	Mr. Rajiv Nayan, APP
For the Mines Department	:	Mr. Naresh Dikshit, Advocate
		Mr. Braj Bihari Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mr. Sheo Kumar Prasad, learned counsel for the petitioners, Mr. Naresh Dikshit, learned counsel for the Mines Department and Mr. Rajiv Nayan, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajauli P.S. Case No. 595 of 2024, F.I.R. dated 20.12.2024 for the offences punishable under Sections 303(2), 317(2), 111(2) of the B.N.S.S., 2023.

3. According to prosecution case, the informant who is a Mines Inspector received the secret information that



stone chips loaded truck and Hiwa were parked on the Rajuali Check Post.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that on the basis of secret information the present F.I.R. has been instituted by the informant, who is not the eye witness of the alleged occurrence and it also appears that the Mines Department has not stated anything about that how much loss in revenue the Department has incurred. He further submits that except the secret informant no other cogent material has come during investigation which suggests the involvement of the petitioners in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 A.C.J.M.-I, Nawada, in connection with Rajauli P.S. Case No. 595 of 2024 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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