

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37254 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- CHHATAPUR District- Supaul

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Rakesh Kumar S/O Dasan Sardar R/O Village- Madhopur (Pariyahi), PS-
Chhatapur, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Mines and Minerals, Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP
For Mines Department	:	Ms. Shruti Singh, Advocate
		Mr. Naresh Dikshit, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Chhatapur P.S. Case no. 65 of 2025, registered under section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Act, 2019 and sections 303(2) and 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the tractor of the petitioner was seized with illegally mined sand.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the



reason that he happens to be the owner of the vehicle. The petitioner was not caught at the place of occurrence. Further in reference to the contents of the supplementary affidavit, it is submitted that the petitioner made a prayer to the District Mining Officer, Supaul and by way of E-Challan has deposited a sum of Rs. 1,05,325/- on 10.6.2025, a copy of the E-Challan having been brought on record as Annexure- P/2 to the supplementary affidavit. The petitioner undertakes to cooperate in the case and the learned Court below.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the Mining Department.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., there being no similar allegation against the petitioner in the past and the amount of Rs. 1,05,325/- having been deposited through E-Challan by way of penalty, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Chhatapur P.S. Case no. 65 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the
learned Judicial Magistrate-I, Supaul.

(Partha Sarthy, J)

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