

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39535 of 2025

Arising Out of PS. Case No.-25 Year-2024 Thana- GHOSI District- Jehanabad

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1. Ramlakhan Yadav, S/o Late Jhapsi Yadav, Resident of Village- Thallu Bigha, P.S.- Ghoshi, District- Jehanabad,
 2. Anup Kumar, S/o Ramlakhan Yadav, Resident of Village- Thallu Bigha, P.S.- Ghoshi, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mines Officer, Jehanabad, District- Jehanabad, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Adv.
For the State	:	Mr. Umeshanand Pandit, APP
For the Mining Dept.	:	Ms. Shruti Singh, Adv. Mr. Naresh Dikshit, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-06-2025 Heard Gajendra Kumar Singh, learned counsel for the petitioners, Mr. Umeshanand Pandit, learned APP for the State and Ms. Shruti Singh, learned counsel for the Mining Department.

2. The petitioners apprehend their arrest in connection with Ghoshi P.S. Case No. 25 of 2024 dated 15.01.2024 registered for the offences punishable under sections 379 and 411 of the Indian Penal Code.

3. The main submissions advanced by petitioners' counsel are that the instant matter relates to illegal mining of sand from the Government land and thereby causing revenue



loss to the State Exchequer but out of the alleged loss of Rs. 1,55,463/-, both the petitioners are concerned only to the loss of Rs. 35,650/- as on the tractor of petitioner No. 1, only 100 cft sand was found and both the petitioners are ready to deposit the said revenue loss to the Mining Department, Jehanabad and will file the receipt of the deposit before the trial court at the time of submission of their bail bonds. It is further submitted that both the petitioners have fair and clean antecedent and the petitioner No. 1 is the owner of the alleged tractor while the petitioner No. 2 was the driver of the said tractor during the relevant period of recovery of the alleged sand.

4. Learned counsel appearing for the Mining Department accepts the revenue loss of Rs. 35,650/- to the State Exchequer on account of the sand having been mined from the Government land by the petitioners, which was found on their tractor.

5. Considering the aforesaid submissions and mainly taking into account the petitioners' undertaking to deposit the alleged loss of Rs. 35,650/- in the office of the concerned Mining Department and also considering their fair and clean antecedent, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, let the petitioners named-



above, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Ghoshi P.S. Case No. 25 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS, on the condition that :-

(i) Both the petitioners shall deposit the alleged revenue loss of Rs. 35,650/- in the office of the concerned Mining Department and submit the deposition receipt before the trial court at the time of submission of their bail bonds and their bail bonds will only be accepted after submission of the deposition receipt.

(Shailendra Singh, J)

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