

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37865 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- CHAKAND District- Gaya

Rama Kant Kumar S/o Sarjun Chaudhary R/o Village- Pasi tola Gannu Bigha,
P.O. and P.S.- Chakand, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Sinha, Advocate.
For the Opposite Party/s	:	Mr.Rajesh Kumar, APP.
For Mines Department	:	Ms. Kalpana, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-10-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Chakand P.S. Case No. 153 of 2024 registered for the offence punishable under Sections 353, 379, 411, 307 and 504 of the Indian Penal Code and Sections 21 and 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 (hereinafter referred to as “Rules, 2019”).

3. As per the allegation made in the F.I.R., on 05.06.2024 at 09:00 AM, the informant along with other police officials reached near Murkatta village and tried to stop the tractor loaded with sand, but the petitioner who is said to be the



driver of the said tractor abused, threatened and tried to drive over them. It is alleged that the said tractor met with an accident and the driver of the tractor fled away from the place of occurrence.

4. Learned counsel appearing on behalf of the petitioner informs that the compounding fee as per the provision of Section 56(2) of the Rules, 2019 has already been deposited by the owner of the tractor from which illegal sands were seized and the tractor has already been released. The owner of the tractor has already been released on bail by a co-ordinate Bench of this Court vide order dated 11.12.2024 passed in Cr. Misc. No. 84991 of 2024.

5. Ms. Kalpana, learned counsel appearing on behalf of the Mines Department informs that the owner of the tractor from which illegal sands were seized has already deposited the compounding fee, as per the provision of Section 56(2) of the Rules, 2019, and the petitioner is the driver of the said tractor.

6. Having considered the rival submissions made on behalf of the parties and it is admitted that the compounding fee has already been deposited and the fact that the owner of the tractor has already been released on bail by a co-ordinate Bench of this Court vide order dated 11.12.2024 passed in Cr. Misc.



No. 84991 of 2024, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Chakand P.S. Case No. 153 of 2024, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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