

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38054 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- KARAI PARSURAI District- Nalanda

Amitesh Ranjan, S/o Rajkishore Srivastava, Resident of Dahiyawan, Nagina
Singh Lane, Chapra, Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through the Principal Secretary, Mines and Geology
Department, Government of Bihar, Vikas Bhawan, Bailey Road Patna

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39097 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- KARAI PARSURAI District- Nalanda

Ganga Paswan, Son of Late Ram Kisun Paswan, Village Binsa PS Karai
Pasurai Dist Nalanda

... .. Petitioner/s

Versus

The State of Bihar through the Mince Deptt. , Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 38054 of 2025)

For the Petitioner/s : Mr. Atulya Anand, Advocate
For the State : Mr. Bharat Lal, APP
For the Opp. Party No.2 : Mr. Naresh Dikshit, Advocate
Ms. Kalpana, Advocate

(In CRIMINAL MISCELLANEOUS No. 39097 of 2025)

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party : Mr. Naresh Dikshit, Advocate
Ms. Kalpana, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-10-2025 Heard the parties.

2. The petitioners are apprehending their arrest in
connection with Karai Parsurai P.S. Case No. 66 of 2024
registered for the offences punishable under Sections 379, 411



of the Indian Penal Code and Sections 11, 33 and 56 of the Bihar Mining Act, 2019.

3. Based upon the written report, the prosecution alleges that on 07.05.2024, a raid was conducted under the supervision of Mining Officers and on being found that various persons are indulged in illegal mining including the driver and operators of the Hyva trucks and Poclain machines, the Hyva trucks and Poclain machines were seized.

4. The petitioner in Cr. Misc. No. 38054 of 2025 is said to be the owner of the five vehicles and the petitioner in Cr. Misc. No. 39097 of 2025 is said to be the one of the associate extending help in illegal mining.

5. Learned Advocates for the petitioners submitted that the project, under which the vehicles of the petitioner (in Cr. Misc. No. 38054 of 2025) were engaged, was being carried out under the supervision of the Patna High Court in C.W.J.C. No. 8093 of 2019 and C.W.J.C. No. 2988 of 2022. He further submits that be that as it may on account of the F.I.R. being lodged, the petitioner (in Cr. Misc. No. 38054 of 2025) has been directed to pay a fine and, accordingly, an amount of Rs.14,23,500/-, the details of which have been duly mentioned in the supplementary affidavit, has been paid by the petitioner



(in Cr. Misc. No. 38054 of 2025).

6. On the other hand, learned Advocate for the Mines Department though opposed the pre arrest bail of the petitioners, however, she did not confront that fine has already been paid by the petitioner (in Cr. Misc. No. 38054 of 2025).

7. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that fine has already been paid by the owner of the vehicles, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hilsa, Nalanda in connection with Karai Parsurai P.S. Case No. 66 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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