

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39859 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- BELAGANJ District- Gaya

Rakesh Yadav S/o Kishori Yadav @ Kishore Yadav R/o Village- Dalelchak,
P.S.- Belaganj, P.O.- Bhindaspur, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 24 of 2025 registered for the offences punishable under Sections 111, 303(2), 317(2), 109, 132 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The police on a tip off about illegal mining of sands and minerals raided the place of occurrence. However, on noticing the police party, the driver of the tractor has tried to dash the police personnel and left the tractor in running condition and fled away, consequentially, the tractor met with an accident on the road. Thereafter, the police personnel seized five other tractors.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner was not arrested on the spot and his name has surfaced in this case as being driver of the tractor in question. Learned counsel for the petitioner submits that the FIR clearly suggest that no case under any of the provisions of Mines and Minerals (Development and Regulation) Act, 1957 has been instituted and, as such, the petitioner cannot be said to be involved in mining of illegal sand. Petitioner has no criminal antecedent. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 14-05-2025 passed in Cr. Misc. No. 27634 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Belaganj P.S.
Case No. 24 of 2025, subject to the conditions as laid down
under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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