

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40677 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- BHANGHA District- West Champaran

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Rohit Prasad Chaudhary @ Rohit Prasad Chaudhari S/o- Sitaram Chaudhary
Village- Thukaha Ps- Bhangaha Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mines and Geology Department, thorough Mines Inspector Bettiah, West Champaran Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bhangaha P.S. Case no. 88 of 2024 instituted for the offence under Sections 303 (2), 317(2) of the BNS, Sections 11, 43, 56 and 56(2) of the Bihar Mineral (Concession, Prevention of Illegal Mining Transportation & Storage) Act, 2019 and Section 5 (1A), 21 of Mines and Minerals (Development and Regulation) Act, 1957.

3. The case of the prosecution is that a Lorry without



number loaded with sand was found in the vicinity of the house of the petitioner.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the Lorry does not belong to him. He is not the owner of the said Lorry and he has no concern with the said Lorry or sand. Further submission is that nothing has been recovered from the possession of the petitioner.

5. Learned counsel for the Mines and Geology Department vehemently opposes the prayer for bail stating that the Lorry was found in the vicinity of the house of the petitioner and he is also having a criminal antecedent of same nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bhangaha P.S. Case no. 88 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class



Bettiah, West Champaran, subject to the conditions as laid down
under section 482(2) of B.N.S.S.

(Ashok Kumar Pandey, J)

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