

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51002 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- NIMACHANDPURA District- Begusarai

1. Abinandan Sah @ Aabho @ Abhinandan Kumar Sah S/o Shri Ram Bahadur Sah @ Balo Sah @ Ram Bohadug Sah Residents Of Village- Nima Chanpura, Ward No. 01, PS- Neemchandpura, District- Begusarai, Pin- 851131
2. Ram Bahadur Sah @ Balo Sah @ Ram Bohadug Sah S/o Late Bengali Sah Residents Of Village- Nima Chanpura, Ward No. 01, PS- Neemchandpura, District- Begusarai, Pin- 851131

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivpujan Sahay, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Neemchandpura P.S. Case No. 69 of 2025 instituted for the
offence under Sections 303(2), 132, 352 of the Bharatiya Nyaya
Sanhita, 2023, Sections 25(1-b)a, 26 & 35 of the Arms Act,
Section 11 of Bihar Minerals (Prevention of Illegal Mining,
Transportation and Storage) Rules, 2019 & Section 15 of the
Environment Protection act, 1986.

3. The prosecution case is that on 03.06.2025, during
patrolling, police received information about illegal sand mining



at Sherpur Chaur. On reaching the spot, the accused attempted to flee, abused and assaulted police, and tried to snatch an AK-47. One accused, Abhishek Kumar, was caught with a country-made pistol and cartridges, and admitted being called to assist in the illegal mining.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 04-06-2025. Petitioner No.1 bears one criminal antecedent, whereas petitioner No.2 bears four criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case due to village politics and personal vendetta, despite having no involvement in the alleged offence. Petitioner No. 2, a Panchayat representative, was actively engaged in development works under MNREGA and had previously lodged complaints against corrupt officials. No arms or illegal mining materials were recovered, and the seized vehicles were being used to transport papayas. The prosecution's case is fabricated, vague, and lacks any specific evidence to support the charges.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and no recovery from the petitioners' possession, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Neemchandpura P.S. Case No. 69 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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