

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54022 of 2025

Arising Out of PS. Case No.-408 Year-2023 Thana- PARAIYA District- Gaya

Ajay Yadav S/o- Rajaram Yadav @ Raja Ram Village- Bishunpur Ps- Paraiya
Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mines Officer, Gaya Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the Opposite Party/s	:	Mr. Suman Kumari Singh, APP
For the O.P. No.2	:	Mr. Naresh Dikshit, Advocate

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

ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for opposite party no. 2.

2. The petitioner seeks bail in connection with Paraiya
P.S. Case No. 408 of 2023, instituted for the offences punishable
under Sections 379, 411, 120(B) of the Indian Penal Code, read
with Section 21 of the M.M. (D&R) Act and Section 56 of B.M.
(C.P.I.M.T. & S) Rules.

3. The prosecution case, in short, is that the petitioner
is involved in illegal mining of sand from river bed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that allegation levelled against the petitioner is general and omnibus in nature. The petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of disclosure made by local people. It is further submitted that on the basis of suspicion the petitioner was made accused in this case. The petitioner is in custody since 04.05.2025 and has got one criminal antecedent.

5. Learned APP for the State and learned counsel for opposite party no. 2 have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paraiya P.S. Case No. 408 of 2023, subject to the following conditions:

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



(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

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