

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50508 of 2025

Arising Out of PS. Case No.-303 Year-2021 Thana- RAJAON District- Banka

Uday Yadav S/o Bhoti Yadav @ Bateshwar Yadav R/o Village- Dayalpur,
P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Brij Nandan Prasad, learned counsel
appearing on behalf of the petitioner and Ms. Sharda Kumari,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Rajoun P.S. Case No. 303 of 2021 registered under
Sections 147, 148, 149, 341, 342, 323, 353, 332, 186, 357, 338,
379, 504, 506 of the Indian Penal Code and MMRD Act, 1957
Rule-4(1), BMCPIMTS Rule, 2019, Rule 11, 41, 56(2) Section
15 NGT Act, 2010.

3. As per the allegation made in the FIR, the
petitioner, along with other accused persons, were involved in
illegal sand mining and they also assaulted the Police personnel.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner want to avail remedy before the District Mines Officer by depositing compounding fee as assessed by the Mines Officer having jurisdiction in accordance with the provision of Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 (hereinafter referred to as "Rules, 2019).

5. Learned APP for the State has no objection.

6. Considering the nature of crime and the same is compoundable, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/successor Court in connection with Rajoun P.S. Case No. 303 of 2021, **subject to furnishing of the receipt showing payment of the compounding fee which has been assessed by the Mines Officer having jurisdiction ready to deposit the entire amount but under protest subject to his objection in respect of assessment made** and subject to the condition as laid down



under Section 482 of the BNSS.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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