

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58562 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- RAHIKA District- Madhubani

Rakesh Kumar S/O Yogendra Singh R/O Biraul, P.S- Khajauli, District-
Madhubani (Owner of Tractor bearing Registration No. BR 32 GB 6983).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 303(2), 317(2), 317(4) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, Rule 56(2) Bihar Mineal (Concession, Prevention of Illegal Mining, Transportation & Storage) Rule, Section 21 M.M. (D.R.) Act, 1957 and Section 15 of the Environment Protection Act, 1986.

3. Learned counsel for the petitioner submits that petitioner has been made accused in this case merely because petitioner happens to be owner of one of the tractors, which were seized from the spot, but fact remains that tractor in question was not involved in illegal mining of sand. There is no allegation that illegally mined sand was loaded on the tractor of petitioner. Tractor of the petitioner was just parked near the spot. Petitioner claims clean antecedent.



4. Learned A.P.P. for the State has opposed the bail petition.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Madhubani in connection with Rahika P.S. Case No. 78 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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