

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58944 of 2025

Arising Out of PS. Case No.-377 Year-2024 Thana- HISUWA District- Nawada

1. Amit Kumar @ Bambam @ Bambam Yadav S/O Vinod Kumar Resident of Village- Belaru, PS.- Hisua, District- Nawada
2. Ram Kripal Yadav S/O Late Kunj Bihari Yadav Resident of Village- Belaru, PS.- Hisua, District- Nawada

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-09-2025 Petition for pre-arrest bail of petitioner no.1 is dismissed as withdrawn.

2. Heard learned counsel for the parties.

3. Petitioner no. 2 prays for grant of anticipatory bail in connection with Hisuwa P.S.Case no. 377 of 2024 registered for the offence punishable under sections 303(2), 317(2), 318(4), 336(3) & 111 of the Bhartiya Nyaya Sanhita, 2023.

4. As per the prosecution case, on information having been received, a search was conducted and two Hyvas and a truck were found loaded with sand. On asking for challan the same were produced, the details of which have been given in the FIR. Informant further states that some of the accused persons were taken into custody. Further on going through the whatsapp in the mobile phone of one of the operators, a list containing names of several accused persons were found who were involved in illegal mining of sand. Said list indicated name of the petitioner.

5. Learned counsel for petitioner no.2 submits that from the contents of the FIR itself it would transpire that no



incriminating article has been recovered from the conscious possession of the petitioner. He has been falsely implicated in the case only on the ground that his name was found in a list in the mobile phone of one of the accused. Co-accused, with similar allegation, have already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 46404 of 2025. The cause of false implication of the petitioner is his antecedent.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration nature of allegation, and the fact that no incriminating article having been recovered from the petitioner’s possession and co-accused, with similar allegation, have already been allowed pre-arrest bail, it is directed that the petitioner no. 2 above named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, be released on anticipatory bail in connection with Hisua P.S.Case no. 377 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Nawada, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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