

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58858 of 2025

Arising Out of PS. Case No.-191 Year-2024 Thana- KOILWAR District- Bhojpur

Pintu Rai @ Putus Rai @ Putur Rai @ Ravi Kumar S/o Sakalu Rai @ Sakal
Deo Rai R/o Village - Mahadeo Chak Semariya, P.S - Koilwar, District -
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Koilwar P.S. Case No. 191 of 2024 dated 12.04.2024, instituted
for the offence punishable under Sections 379, 411, 34 of the
Indian Penal Code & Section 56(1)(2) of the B.M.C. Rules.

3. The allegation against the petitioner is that he was
involved in illegal mining of sand. The police on tip off illegal
mining conducted raid and seized nine tractors with loaded
sand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that petitioner is neither owner nor



driver of the said seized tractors. Only on the basis of disclosure made by local person, the petitioner has been made accused in this case. It is next submitted that the co-accused persons namely, Pappu Kumar and Surendra Kumar have been granted bail vide order dated 23.10.2024 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 69673 of 2024. It is also submitted that co-accused person namely, Rahul Kumar and Sanejar Ray have also been granted bail *vide* order dated 20.12.2024 passed by a Co-ordinate Bench of this court in Criminal Miscellaneous No. 74806 of 2024. Lastly, it has been submitted that the petitioner is in custody since 07.04.2025 and he has eight criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in Koilwar P.S. Case No. 191 of 2024, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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