IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61459 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- NARDIGANJ District- Nawada

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1. Sanoj Kumar, Son of Gorelal Yadav, Resident Of Village- Rustampur, Ps- Mufassil, Dist- Nawada
2. Mantosh Kumar @ Abhimanyu Kumar, Son of Gohi Yadav, Resident Of Village- Rustampur, Ps- Mufassil, Dist- Nawada
3. Ranjit Kumar @ Rana Singh, Son of Bulu Yadav, Resident Of Village- Rustampur, Ps- Mufassil, Dist- Nawada

... ... Petitioner/s

Versus

1. The State of Bihar
2. Minning Inspector, Nawada, Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mr. Nirmala Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 10-09-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Nardiganj P.S. Case No. 76 of 2025, registered for the offences punishable under Sections 303(2) and 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The accusation against the petitioners are said to be involved in illegal mining and transportation of sand. On the alleged date of occurrence the Mines Inspector alongwith other police personnels conducted raid, however, noticing the police

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party, the accused persons, including the petitioners, who were present there succeeded in fleeing away after leaving their vehicles, which were seized.

4. Learned Advocate appearing on behalf of the petitioner submitted that during the course of investigation it transpired that the petitioners are not the owner of the vehicles, which were seized from the place of occurrence, however only on account of their presence at the place of occurrence, their names have been implicated in this case. During the course of investigation no materials have been collected, which suggest the complicity of the petitioners in the illegal mining. All the more, there is defiance of the provision of Section 103 of the Bharatiya Nagarik Suraksha Sanhita. The petitioners undertake that they will fully cooperate in the investigation and the proceeding of the Court. It is lastly contended that be that as it may the petitioners bear fair antecedent.

5. On the other hand, learned Advocate for the State and the learned Advocate for the Department of Mines opposed the pre-arrest bail application and submits that the presence of the petitioner at the place where raid was conducted, clearly speaks volume about their involvement in illegal mining.

6. Having considered the submissions set forth by

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learned Advocate for the respective parties and taking note of the fact that the petitioners are not the owners of the vehicle, coupled with their fair antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada in connection with Nardiganj P.S. Case No. 76 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

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