

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56493 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- SONEPUR District- Saran

Fulan Ray @ Sarvjeet Kumar Son of Bigan Ray Resident of village -Sabalpur
Chaetola PS- Sonapur District -Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mining Inspector, Mines and Geology Dept, District Mining Office, Saran
bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akashdeep, Advocate Mr. Shyameshwar Kumar Singh, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP
For Mines	:	Mr. Naresh Dikshit, Advocate Ms. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-09-2025 Heard Mr. Akashdeep, learned counsel for the

petitioner and Ms. Shruti Singh, learned counsel representing

the Mines Department.

2. The petitioner is apprehending arrest in connection
with Sonapur P.S. Case No. 354 of 2024 instituted under
Sections 188, 379, 411 of the Indian Penal Code lodged on
28.04.2024 by the informant, Anjani Kumar.

3. As per the prosecution story, the informant, Mining
Inspector at Saran alleged that on 28.04.2024, he along with
mining officials were checking the vehicles for prevention of
illegal mining, transportation and storage of sand were found



four tracks present there. Those present there tried to escape, they were stopped. The allegation is that thereafter, they overturned the sand and the drivers escaped. Thereafter, the FIR was lodged giving names of the accused persons, the petitioner included.

4. Learned counsel for the petitioner submits that he does not own the four Hywas only because the vehicles belongs to his brothers and Sanjeet Kumar Rai and Ranjeet Kumar Rai, his name has been dragged.

5. The last submission is that the sand amount of Rs. 1,23,895/- and 1,21,240/- have been deposited. The challans are there as Annexure-P/2 series.

6. Learned counsel represent the Mines Department on the other hand opposes the prayer submitting that he being the brother of the two alleged owners of Hyva, cannot exonerate himself from the allegation.

7. Considering the submissions of the parties as also the aforesaid fact that he does not own the vehicle, the amount has been deposited, the FIR lodged, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event



of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sonapur P.S. Case No. 354 of of 2024 to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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