

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74287 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- IMADPUR District- Bhojpur

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1. Dhanji Pasi @ Dhanji Ram Son of Manichand Pasi R/o Village - Bihta, P.S. - Imadpur, District - Bhojpur, Bihar.
 2. Banti Sah @ Banti Kumar Gupta Son of Ashok Sah R/o Village - Bihta, P.S. - Imadpur, District - Bhojpur, Bihar.
 3. Dhiraj Kumar @ Ranjan Kumar Son of Ramakant Singh R/o Village - Bihta, P.S. - Imadpur, Dist. - Bhojpur, Bihar.
 4. Himanshu Kumar Son of Ravindra Singh R/o Village - Bihta, P.S. - Imadpur, Dist. - Bhojpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 303(2), 317(2), 111(2)(b), 111(6), 111(7) and 3(5) of the BNS, 2023 read with Sections 39, 56(1) and 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019.

3. The learned counsel for the petitioners, after arguing vehemently for some times realizing his difficulty, seeks



permission to withdraw the anticipatory bail application with respect to petitioner no. 1 (Dhanji Pasi @ Dhanji Ram) and petitioner no. 4 (Himanshu Kumar).

4. Permission is accorded.

5. It is next submitted that petitioner nos. 2 and 3 are persons with clean antecedent and the informant alleges that sand was found in collective raids carried out at various spots at Bihta Bagicha and Charugram on 26.06.2025 at 06:20 AM by Imadpur P.S., further with regard to the sand seized, no documentary evidence was produced to prove its legality and the locals and *Chowkidar* disclosed the name of the accused persons.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and the sand does not belong to them and they came to be implicated at the instance of *Chowkidar*, but then it is submitted if locals and *Chowkidar* were aware of the involvement of the petitioners in the occurrence then why they did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution. It is



also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. Considering the submissions made by the learned counsel for the petitioners and taking into consideration the fact that petitioner nos. 2 and 3 are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Imadpur P.S. Case No. 83 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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