

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74892 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- NARDIGANJ District- Nawada

Alakhdev Yadav son of Chandar Yadav Resident of Village - Matihani, P.S -
Nardiganj, Dist - Nawada

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Mines Inspector, Nawada, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Nardiganj P.S. Case No. 06 of 2024 for the offence under sections 379 and 411 of the Indian Penal Code lodged on 11.01.2024 by the informant, Apurv Singh.

3. As per the prosecution story, the informant alleged that on secret information, about illegal mining, the raiding team reached and seized JCB, truck, Hywa as also a motorcycle. It was found that around 810 C.F.T. sand was loaded there. This led to the FIR.

4. Learned counsel for the petitioner submits that he does not own either the Hywa or the truck on which the sand was/were loaded. He is the owner of the motorcycle which was parked there, gone to attend the nature's call and is now



implicated though concede that he has criminal antecedent. The last submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner intends to contribute Rs. 10,000/- to the Mines and Geology Department, Government of Bihar.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also that the petitioner is not the owner of the Hywa or the Truck, FIR is there and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the Mines and Geology Department, Government of Bihar through Demand Draft and the receipt be submitted to the learned Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Nawada in connection with Nardiganj P.S. Case No. 06 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 month for one year to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(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)

Adnan/-

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