

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74388 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- AKBARPUR District- Nawada

Karu Singh @ Karyanand Sharma @ Karinand Sharma S/O Kishori Singh
R/O VILLAGE- Kulna, P.S. -Akbarpur, DISTRICT- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 303(2),
132, 111 and 3(5) of the BNS, 2023.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner has antecedent of two cases
and the informant alleges that he received secret information
that Kundan Kumar, Gopal Kumar, Karu Singh @ Karyanand
Sharma (petitioner), Sheru Kumar and Chutar Kumar are
illegally mining the sand from Khuri river, accordingly, he
reached the place of occurrence along with the police force and
saw three tractors and two motorcycles in the riverbed and the
sand was being loaded on the tractors. Further, on three tractors,
80, 90 and 70 Cft. of sand was loaded, accordingly, the tractors



were seized along with the two motorcycles but then the aforesaid five accused persons along with 10-15 unknown accused came and forcibly took the tractors away and the motorcycles were brought to the police station, thus, alleges that accused in an organized manner indulged in illegal mining of sand.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that on receiving information, he along with the police force reached the place of occurrence and seized three tractors loaded with the sand along with the two motorcycles but then the named accused persons along with 10-15 unknown accused came and they forcibly took the tractors away. It is next submitted that the FIR does not even remotely suggest that the accused indulged in any kind of unruly behaviour for taking the tractors away. It is also submitted that it does not appear probable that in presence of the police, the accused would have taken the tractors away without resorting to force, as such, it appears that the case has been falsely instituted.

5. Learned A.P.P. for the State vehemently opposes



the prayer for anticipatory bail of the petitioner and submits that the petitioner has antecedent of two cases and from perusal of the allegation as alleged in the FIR, it would manifest that the named accused persons along with 10-15 unknown persons came and they forcibly took the tractors away. It is further submitted that though the police were armed but then in such a situation, the police could not have resorted to firing. It is next submitted that registration number of the tractors is also mentioned in the FIR and one of the tractors and a motorcycle belonged to the petitioner as has been pleaded in the anticipatory bail application. It is also submitted that investigation in the case is in its nascent stages and illegal sand mining adversely impacts the environment.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Akbarpur P.S. Case No. 246 of 2025 pending in the Court of learned Chief Judicial Magistrate, Nawada/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

