

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82485 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- NARDIGANJ District- Nawada

Santosh Kumar Son of Saryoog Yadav Resident Of Village- Dohra, P.S-
Nardiganj, District- Nawada

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Department of Mines Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 121, 303(2), 338, 336(3) of
the B.N.S.S.

3. Petitioners along with other accused persons are
said to have illegally excavated the sand and purchased the
challan from allottee of the sand Ghat and prepared the fake
challan.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that there is no specific overt act against the
petitioner. He submits that the petitioner is the owner of the
tractor bearing Registration No. BR21GB-7659. He submits that



the petitioner has already deposited the fine of Rs. 30,375/- in the Mining Department. He submits that the charge has been framed against the petitioner. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 06.09.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nardiganj P.S. Case No. 208 of 2024, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.



(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(V) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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