

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78350 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- RISIYAP District- Aurangabad

Binod Kumar Yadav S/o Munesar Yadav @ Muneshwar Yadav R/o Village-
Gopaldih, P.S- Panki (Paki), Dist- Palamu, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Mining Inspector, P.S- Risiup, Dist- Aurangabad Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Risiup P.S. Case No. 104 of 2025 registered for the offences punishable under Section 303(2), 317(2) of the B.N.S.

3. As per the prosecution case, on 19.09.2025 and 20.09.2025, the informant has seized three mines loaded truck due to invalid challan.

4. Learned counsel for the petitioner has submitted that the petitioner is the owner of the seized vehicle bearing no. CG-04-QB-0645 and merely on this ground only the name of the petitioner have been rooted in the first information report.



While the said seized truck was driven by the driver authorized to the same. It has next been submitted that the fine which has been quantified for overloading has already been paid on 20.09.2025 which is said to have been imposed by the District Transport Officer, Aurangabad. This petitioner bears one criminal antecedent and is ready to abide by the terms and conditions which is imposed in the case of anticipatory bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the fact that the amount quantified by the District Transport Officer, Aurangabad has already been paid by this petitioner.

7. Let the above named petitioner, in the event of his arrest/surrender within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Aurangabad, Bihar in connection with Risiup P.S. Case No. 104 of 2025, subject to conditions as laid down under section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family



member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

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

Siddharth Soni/-

(Ajit Kumar, J)

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