

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1501 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- SANGRAMPUR District- Munger

Manohar Kumar Singh @ Manohar Singh S/o Dileep Singh Resident of
Village- Garhi Mohanpur, PS- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Mining, Govt. of Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar Jha, Advocate
For the Opposite Party/s	:	Mr.Ashok Kumar Singh, APP
For Mines	:	Mr. Naresh Dikshit, Spl. P.P.
	:	Mr. Utsav Anand, Advocate
	:	Mr. Brij Bihari Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-05-2025 Heard Mr.Pranav Kumar Jha, learned counsel for the

petitioner, Mr. Naresh Dikshit, learned counsel for the Mines

Department and Mr.Ashok Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sangrampur P.S. Case No.81 of 2024,FIR dated
03.04.2024 registered for the offences punishable under
Sections 341,323,307,504,506,379,411,353,333,427,34 of IPC.

3. There is direct allegation on the petitioner of assault
or use of criminal force to deter the Public Servant from
discharge of their official duty and abusing them and there is
also a direct allegation of committing illegal sand mining.



Though the petitioner filed an application that he wants to deposit the fine amount to the Mining Department.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It appears from the FIR as well as seizure list that no mines article has been recovered from the vehicle of the petitioner and vehicle of the petitioner was apprehended alongwith other vehicles. Learned counsel for the petitioner submits that the petitioner was not present at the place of occurrence and he has been made accused in the present case merely on the ground that his vehicle was present at the place of occurrence and apart from that, he is son of co-accused person, namely, Dilip Singh and the vehicle in question is registered in the name of Dilip Singh. Learned counsel for the petitioner submits that although the petitioner was not present at the place of occurrence but he is ready to pay the fine as imposed by the District Mining Officer vide letter dated 07.05.2025 which was produced by the Counsel for the Mines Department in the midst of arguments.

5. Learned counsel for the Mines Department has no objection in this regard. Further submits that the petitioner carries seven more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as



mentioned in para-4 of the supplementary affidavit.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below 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 learned Chief Judicial Magistrate, Munger in connection with Sangrampur P.S. Case No.81 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit the payment of Rs.25,000/- (Twenty Five Thousand) by way of demand draft in favour of the Mines Department and the learned court below is directed to hand over the said demand draft to the Mines Department or his representative.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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