

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2762 of 2026

Arising Out of PS. Case No.-193 Year-2025 Thana- KAUWAKOL District- Nawada

1. Ramesh Kumar @ Bhikhari Mahto S/O Durga Mahto Resident of Village-Bhorambag, P.S.-Kawakole, District-Nawada
2. Sudhir Pandit S/o Kishori Pandit Resident of Village-Bhorambag, P.S.-Kawakole, District-Nawada
3. Chhotu Yadav @Satyaprakash @ Chotu Yadav S/o Bachchu Yadav Resident of Village-Bhorambag, P.S.-Kawakole, District-Nawada
4. Rajesh Kumar @ Rajesh Yadav S/o Bachu Yadav Resident of Village-Bhorambag, P.S.-Kawakole, District-Nawada
5. Sonu Kumar @ Sonu @ Dimpal Yadav S/o Naresh Yadav Resident of Village-Bhorambag, P.S.-Kawakole, District-Nawada
6. Manjit Kumar S/o Gulu Yadav Resident of Village-Bhorambag, P.S.-Kawakole, District-Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mines Department Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP
Mr. Naresh Dikshit, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-04-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the Mines Department.
2. Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to Petitioner No. 6 (Manjit Kumar), who was arrested during pendency of the instant anticipatory bail application.



3. Permission is accorded.

4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to Petitioner No. 6 (Manjit Kumar).

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 305(e), 317(4) of the Bharatiya Nyaya Sanhita.

6. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and rest of the petitioners are persons with clean antecedent and the informant alleges that raid was conducted for seizing illegally mined sand from Naki river and 15114 cft sand was found illegally mined and the villagers disclosed the name of petitioners, further the accused are liable for payment of fine for illegally mining sand.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners were not apprehended from the spot as such it cannot be presumed that sand was illegally mined by them. It is also submitted that though informant alleges that villagers informed that the sand was illegally mined by the petitioners but then the name of the person who disclosed the name of the petitioners is not



disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioners have not been implicated based on secret information. It is also submitted that it appears that the informant with a view to save the real culprit falsely implicated the petitioners. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

8. Learned A.P.P. and learned counsel appearing on behalf of the Mines Department opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1 to 5 above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kawakol P.S. Case No.193/2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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