

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7059 of 2026**

Arising Out of PS. Case No.-137 Year-2025 Thana- CHANAN District- Lakhisarai

Pritam Kumar S/o Yugal Kishor @ Yugal Kishor Singh @ Yogal Kishor Singh  
R/o Village - Gaura Amni Tola, P.S - Teghra, District – Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mining Officer, Lakhisarai, District - Lakhisarai Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kant, Adv.,  
Mr. Ashish Anand, Adv. & Ms. Alka Kumari, Adv.  
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      09-07-2026                      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 offence punishable under Sections 303(2), 317(2), 318(4) of Bharatiya Nyaya Sanhita and Sections 39 / 56(2) of Bihar Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules.

3. The allegation against the petitioner is that he has unauthorizedly enhanced the capping capacity of his K. Storage. It is further alleged that the petitioner is lincense holder, bearing registration no. 832720301, but without permission of Mining Officer, Lakhisarai and without OTP verification, he stored 20 M.T. Sand, causing loss to the Government exchequer.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has been falsely been implicated in this case without any physical verification of stock and without giving any opportunity of hearing. The petitioner is a valid licence holder under the Rule for stocking of minor mineral. Moreover, similarly situated co-accused, namely, Kanhaiya Kumar has already been granted bail, vide order dated 28.01.2026, passed in Cr. Misc. No. 1933 of 2026 by a co-ordinate Bench of this Court, of which, paragraph - 7 is relevant, which reads as :-

*“Looking to the overall facts and circumstances of the case, submissions of learned counsel for the parties as notes above, reasonable apprehension of arrest of the petitioner, taking into consideration the gravity of offence, nature of accusation and there being no possibility of his fleeing away from justice, this Court is of the view that in the light of guidelines laid down by the Hon’ble Apex Court in the case of Sushila Aggarwal vs State (NCT of Delhi), (2020) 5 SCC 1, prima facie the petitioner has made out a case for grant of anticipatory bail.”*

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances,



let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged 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 Additional Chief Judicial Magistrate - II, Lakhisarai, District - Lakhisharai in connection with Chanan P.S. Case No. 137 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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