

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8657 of 2026

Arising Out of PS. Case No.-209 Year-2025 Thana- RAFIGANJ District- Aurangabad

Md. Fayjain Ansari @ Md Faijan Ansari S/O Asgar Ansari R/O Village-
Mahari, P.S- Rafiganj, Dist.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mines and Geology Department, Aurangabad, Bihar through Mines
Inspector Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amish Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

For the O.P. No. 2 : Mr. Naresh Dikshit, Ms. Shruti Singh, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-04-2026 Heard learned counsel for the petitioner, opposite
party no. 2 and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Section 303(2) of the Bharatiya
Nyaya Sanhita, Sections 4(1)(A), 21 of the Mines and Minerals
(Development and Regulation) Act, Section 15 of the
Environmental Protection Act, Sections 11, 38, 56, 34, 18 of the
Bihar Mineral (Prevention of Illegal Mining, Transportation and
Storage) Rules.

3. It is alleged that this petitioner was operating brick
kiln without depositing the consolidated mining royalty for the
last 2-3 years.



4. Learned counsel for the petitioner submits that recovery proceedings for earlier sessions are already pending against the petitioner. However, at this stage, without admitting his guilt, petitioner is ready to deposit Rs. 1 lac.

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below 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 Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P. S. Case No. 209 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita with direction to the petitioner that :-

(i) Petitioner shall deposit Rs. 50,000/- (fifty thousand) through Bank Draft in the office of Mineral Development Officer, Aurangabad and produce its receipt at the time of furnishing bail-bond and, rest amount i.e., Rs. 50,000/- (fifty thousand) shall be deposited in two equal installments of Rs. 25,000/- (twenty five thousand) each within a period of two months thereafter through Bank Draft in the office of Mineral



Development Officer, Aurangabad, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

