

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10250 of 2026

Arising Out of PS. Case No.-204 Year-2025 Thana- SURYAPURA District- Rohtas

Rohit Kumar S/o- Lalan Singh R/v- Nonhar Ps- Suryapura Dist- Rohtas
... .. Petitioner/s
Versus

1. The State of Bihar
 2. The Mining Inspector, Rohtas, Sasaram Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Manoj Kumar, APP
	Mr. Naresh Dikshit, Spl PP, Mines Dept.
	Ms. Shruti Singh, Advocate
	Mr. Utkarsh Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner apprehends his arrest in connection with Suryapura P.S. Case No.204 of 2025, dated 16.06.2025, registered for the offence punishable under Sections 303(2), 317(2), 132, 3(5) of the Bharatiya Nyaya Sanhita and Section 194 of the Motor Vehicles Act.

3. As per the FIR, the JCB of the petitioner was found indulged in illegal cutting of soil from Government land.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is the owner of the JCB in question and that, without his consent, his driver was involved in the alleged incident, pursuant to which the instant FIR has been lodged. Referring to the seizure



list, learned counsel submits that the vehicle was found in village Nonhar; however, no specific place has been mentioned as to where such activities were actually undertaken. It is further submitted that the driver of the JCB and one Arun Singh, at whose instance the driver had taken the JCB for cutting soil, have already been arrested by the police. It is the stand of the petitioner that he is a student, and he will cooperate with the investigation, and that he will ensure that he does not indulge in such activities in the future. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State, as well as counsel for the Mines Department, has opposed the prayer for bail and submitted that stringent conditions may be imposed upon the petitioner to ensure that such activities are not carried out in the future.

6. Considering the fact that two persons have already been taken into judicial custody for the alleged incident, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate, 1st Class, Bikramganj, Rohtas/ Successor Court in connection with Suryapura P.S. Case No.204 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall cooperate in the trial and 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 similar criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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