

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10472 of 2026

Arising Out of PS. Case No.-233 Year-2024 Thana- KOILWAR District- Bhojpur

Subodh Kumar Shahni @ Subodh Kumar Shahi S/o Ramekbal Shahi Resident
of Village and Post - Baruraj, P.S.- Motipur, District- Muzaffarpur, State -
Bihar, Pin Code - 843132.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Pratap, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Koilwar P.S. Case No. 233 of 2024, lodged on 18.05.2024, under Sections 56(1)/56(2) of the Bihar Mineral (Concession, Prevention of Illegal Mining, Transportation and Storage) Amendment Rules, 2021.

3. As per the prosecution, the allegation made in the FIR is relating to violation made under Bihar Mineral Amendment Rules, 2021 and the seized sand were subject to



theft by which loss of government exchequer at the tune of Rs.2,73,631/- took place.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean and he has unnecessarily been made in this case. He is the owner of the truck and he is completely unaware that what driver and Khalasi have done.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that due to the petitioner's truck, the loss to the government had taken place at the tune of Rs.2,73,631/-.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail **subject to payment of Rs.2,73,631/- before the concerned department within six weeks from today**, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M., Bhojpur at Ara, in connection with Koilwar P.S. Case No. 233 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.



7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court 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.

8. It is made clear that at the time of release of truck, the deposited amount by the petitioner shall also be taken into consideration.

(Dr. Anshuman, J)

Mkr./-

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