

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13650 of 2026

Arising Out of PS. Case No.-264 Year-2025 Thana- SHAMBHUGANJ District- Banka

Tridev Yadav @ Trideo Yadav @ Tridev Kumar S/O Lalan @ Lalu Yadav
Village- Chhoti Bharatshila, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director Mines Dept. Govt. of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Nandan Prasad, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl.P.P.
		Mr. Utkarsh Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner, learned APP

for the State and learned Spl.P.P. for the Department of Mines,

Government of Bihar.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 303(2) & 317(2) of the BNS, under Sections 4(1) & 21 of the MMDR Act and under Sections 11, 41, 43, 56(2)(iv)(vi) of the B.M. (CPIMTS) Rule, 2019 amendment Act, 2024.

3. The case of the prosecution, in short, is that the informant got information that sand is being illegally excavated and is being stored. Altogether 3,000 CFT of sand was found.

4. Learned counsel for the petitioner submits that in later part of the FIR it is alleged that the informant came to



know during enquiry that the petitioner is one amongst the accused persons who were liable for this. Learned counsel for the petitioner has further submitted that nothing has been recovered from the possession of this petitioner. Learned counsel has further submitted that no one has seen him collecting or excavating the sand and it is only the objective satisfaction of the informant that the petitioner was involved in the act. Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 13.12.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail and has submitted that the petitioner is having criminal antecedent of four cases.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shambhuganj P.S. Case No. 264 of 2025 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, Banka.

(Ashok Kumar Pandey, J)

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