

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14540 of 2026

Arising Out of PS. Case No.-121 Year-2025 Thana- RISIYAP District- Aurangabad

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1. Sangam Lohara @ Sangam Lohar Son of Ramsundar Lohara Resident of Village -Bijara PS -Heranj Distt -Latehar Jharkhand
 2. Pawan Kumar Lohara Son of Lakhan Lohara Resident of Village -Bijara PS -Heranj Distt -Latehar Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mining Inspector, Aurangabad, Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Advocate
For the State	:	Mr.Pushpa Sinha, APP
For Deptt. of Mines	:	Ms. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioners and learned

APP for the State as well as learned counsel appearing on behalf

of Department of Mines.

2. In the present case, the petitioners are apprehending their arrest in connection with Risiup P.S. Case No. 121 of 2025 registered for the offences under Sections 303(3), 317(2) of B.N.S.

3. As per prosecution case, the petitioners were found driving two trucks which were found carrying coal without any permit or licence.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case. The petitioners are merely drivers of the trucks and they were unaware about the requirement of statutory documents related to the coal carried out on their trucks. There is no allegation against the petitioners that they were involved in the illegal mining or transportation of the mineral. The petitioners are poor labourers and they have been working on the directions of their owner. There is no requirement of custodial interrogation of the petitioners. The petitioners are having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of Department of Mines vehemently oppose the submission made on behalf of the petitioners. However, learned counsel appearing on behalf of Department of Mines submits that Rs.1,00,000/- each has been deposited by the owners as part of the penalty amount and they have been enlarged on anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of job of the petitioners and further considering the nature of offence alleged against the petitioners, let the petitioners above named, in the event of their arrest or



surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned court in connection with Risiup P.S. Case No. 121 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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