

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12477 of 2026

Arising Out of PS. Case No.-68 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

Sanjay Kumar Son of Jit Narayan Singh Resident of Village - Marchi, P.S.-
Bipass, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Mines Department, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priyanshu Ranjan, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the Mines	:	Mr. Naresh Dixit, Spl. P.P
		Ms. Shruti Singh, Advocate
		Mr. Utkarsh Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 26-02-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nawada Muffasil P.S. Case No.68 of 2025, F.I.R dated 21.02.2025 registered for the offences punishable under Sections 303(2), 317(2) and 111 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 21.02.2025, the Mining Inspector informed the S.H.O., Muffasil Police Station, Nawada, that acting on secret information, a joint raid was



conducted near Dharmsheela More against illegal mining and transportation. During the raid, a Hywa truck (Reg. No. BR04GH-3796) loaded with 620.01 cubic feet of stone chips was intercepted. The driver, Ranjeet Kumar, failed to produce valid transport documents. The truck and minerals were seized, the driver was arrested, and a seizure list was prepared in the presence of witnesses.

4. Learned counsel for the petitioner submits that, as per the F.I.R., 620.01 cubic feet of stone chips were found loaded on the truck in question, whereas according to the challan, the quantity of stone chips was 550.00 cubic feet, showing an excess of 70.01 cubic feet. It is contended that the petitioner, being the owner of the truck, had no knowledge of the alleged excess quantity. It is the case of the petitioner that the driver has already been arrested from the spot for not producing the challan while the challan was with the permanent driver and there is no independent witness to the said occurrence and even the persons, who are witnesses to the seizure are the members of the raiding team. Lastly, it has been submitted that the petitioners have clean antecedent and are ready to co-operate with the investigation.

5. Learned APP for the State opposes the prayer for



anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the driver has already been taken into judicial custody and there is only allegation of there being 70.01 cubic feet excess stone chips, the liability of which cannot be fastened upon this petitioner and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Nawada, in connection with Nawada Muffasil P.S. Case No.68 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 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 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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