

Arising Out of PS. Case No.-187 Year-2023 Thana- BELAGANJ District- Gaya

... .. Petitioner/s

1. The State of Bihar.
2. The Mines Inspector, Gaya. Bihar.

... .. Opposite Party/s

For the Petitioner/s	:	Mr. Aryan Singh, Advocate. Mr. Gajendra Kumar Singh, Advocate.
For the State	:	Mr. Shantanu Kumar, A.P.P.
For the O.P. No.2	:	Mr. Naresh Dikshit, Advocate. Mr. Utsav Anand, Advocate.

3 28-04-2026 1. Learned counsel for the petitioner is permitted to make necessary correction in paragraph no.3 of the application during the course of the day.

2. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no.2.

3. The petitioner apprehends his arrest in connection with Belaganj P.S. Case No.187 of 2023 instituted under Sections 379, 411 & 413 of the Indian Penal Code, Section 21 of the M.M. (D & R) Act, 1957 and Section 56 of the B.M. Rules, 2021.

4. As per the prosecution case, allegedly illegal storage of 3000 C.F.T. sand was done by the accused persons



including the petitioner at Imaliyachak Imambada, which caused loss to the government exchequer.

5. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to political rivalry and enmity with Rajan Kumar @ Pappu Mukhiya. He further submits that the seizure list has not been prepared in accordance with law as the F.I.R. was registered after preparation of seizure list. Learned counsel submits that on the same day at same Police Station, a different F.I.R. bearing Belaganj P.S. Case No.186 of 2023 was registered under the same sections against the same accused persons including the petitioner. He further submits that similarly situated co-accused persons have already been granted anticipatory bail by the Co-ordinate Benches of this Court *vide* orders dated 23.08.2024, 23.10.2024, 21.08.2025 & 30.10.2025 passed in Cr. Misc. Nos.44109 of 2024, 69418 of 2024, 84480 of 2024 & 20511 of 2025, respectively. Learned counsel submits that petitioner undertakes to cooperate in the investigation and trial of the case.

6. Learned A.P.P. for the State and learned counsel for the opposite party no.2 oppose the prayer for anticipatory bail. However, they have conceded that other co-accused persons



have been granted anticipatory bail.

7. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as the fact that similarly situated co-accused persons had already been granted anticipatory bail, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Gaya/ concerned Court in connection with Belaganj P.S. Case No.187 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further following conditions.

(i) The petitioner shall cooperate in the investigation and 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 bail bond by the Trial Court itself;

(Sunil Dutta Mishra, J)

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