

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14788 of 2026**

Arising Out of PS. Case No.-928 Year-2025 Thana- NAWADA District- Nawada

Karu Yadav, son of Chando Yadav, Resident of Vill.- Musan Bigha, P.S. + District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Prakash Jha S/O Late Kaushal Jha R/O Vill and Post.- Maubaihat, P.S.- Manigachhi, Dist.- Darbhanga. Presently Posted as Mining Inspector, Nawada.

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 20980 of 2026**

Arising Out of PS. Case No.-928 Year-2025 Thana- NAWADA District- Nawada

Mukesh Kumar, Son of Ramdev Yadav, Resident of Musan Bigha, P.S and Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Prakash Jha Late Kaushal Jha Resident of village and Po- Maubaihat, Ps- Manigachhi, Dist- Darbhanga Presently Posted as Mining Inspector, Nawada

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 14788 of 2026)

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 20980 of 2026)

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**

**ORAL ORDER**

3      08-07-2026      Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Nawada Town P.S. Case No. 928/2025 registered for the offence(s) punishable under Sections 303(2), 317(3) 112(2)b, 316(2), 61(2), 317(4) of the BNS and Section 15 of the



Environment Protection Act.

3. As per the allegation made in the FIR, five tractors were seized loaded with illegally extracted sand.

4. Learned counsel appearing on behalf of the petitioners submitted that offence is compoundable under Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage) Amendment Rules and petitioners seek to deposit the amount of compensation in accordance with the provision of the said Section.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of parties, as well as, the provision of Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage) Amendment Rules, the petitioners are directed to submit the compounding fee, as well as, the amount of penalty, if any, before the District Mining Officer concerned. The District Mining Officer, after being satisfied, is directed to issue certificate to the extent that the offence has been compounded after the petitioners have deposited the required amount of penalty. The above exercise is required to be carried out within a **period of three weeks from the date of**



**passing of the this order.** The District Mining Officer or competent authority-cum-District Magistrate must not delay to act upon on or before the expiry of three weeks and communicate the same to the learned District Court within the said period. **During the time taken in process, no coercive action is required against the petitioners.**

7. Thereafter, the petitioners, above named, are directed to be released on pre-arrest bail, on such terms and conditions, as the learned District Court deems it fit and proper, **provided they surrender before the learned District Court within a further period of two weeks thereafter or the interim protection granted to them shall lose its force.**

8. The learned District Court is directed to verify **the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.**

9. The bail application stands disposed of.

**(Purnendu Singh, J)**

Niraj/-

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