

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15417 of 2026

Arising Out of PS. Case No.-92 Year-2025 Thana- JALALPUR District- Saran

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1. Kundan Kumar Ray S/o Jayprakash Ray R/o vill and P.S.- Sitalpur Bazar, Distt.- Saran
 2. Manuj Kumar S/o Shambhu Nath Singh R/o House no. E 345, Block E, Sector 15, Noida, P.S.- Noida, Distt.- Gautambuddha Nagar, U.P. at present residing at vill- Bilashpur, Maghri, ward no. 5, P.S.- Maharajganj, Distt. - Siwan
 3. Pratik Kumar S/o Vijay Kumar Mishra R/o vill - Sarsaiyan, P.O.- Saghar Sultanpur, P.S.- Bhagwanpur Hat, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar Mines and Geology Deptt. through its Director, Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dineshwar Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, A.P.P
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl. P.P Mines
		Ms. Shruti Singh, Advocate
		Mr. Utkarsh Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned Spl. P.P for the Mines Department.

2. The petitioners are apprehending arrest in connection with Jalalpur P.S. Case No. 92 of 2025 lodged on 20.05.2025, for the offence punishable under Sections 303(2) & 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against three named accused persons. The informant along with other



officials conducted a raid near Mangalapur Canal under Jalalpur police station and saw three vehicles loaded with stone chips, but in course of reaching near the vehicles, three drivers succeeded in fleeing. Subsequently, three drivers were arrested and those drivers and vehicles brought to the police station and seizure list was prepared.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners are the owners of the vehicles from which the illegal stone chips have been recovered. He submits that the alleged wrong has been done by the driver and *khalasi* and the petitioners have unnecessarily been made accused in this case. Counsel further submits that the petitioner nos.1 and 2 have clean antecedent, whereas, the petitioner no.3 has one case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Upon the specific query of the court, counsel for the Mines department informed to this Court that the imposed fine amount upon petitioner no.1 is Rs.8,37,205/- whose vehicle number is BR06GB8651; the imposed fine amount upon petitioner no.2 is Rs.8,37,205/- whose vehicle number is



BR01GM6229, and the imposed fine amount upon petitioner no.3 is Rs.8,47,835/- whose vehicle number is BR04GB7411.

7. Learned counsel for the Mines Department submits that upon payment of the aforesaid fine amounts, the department has no objection if bail is granted to the petitioners.

8. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 6 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Saran, Chapra, in connection with Jalalpur P.S. Case No. 92 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

9. It is made clear that the trial court shall accept the bail bonds of the petitioners only on production of substantial proof showing that they have deposited the imposed fine amounts before the authority concerned as mentioned in the Letter no.587 dated 25.03.2026 issued by the Assistant Director, District Mines Officer, Saran, Chapra which has been produced by the learned Spl. P.P for the Mines, as under:-

- Petitioner no.1 (BR06GB8651)= Rs.8,37,205/-



- Petitioner no.2 (BR01GM6229)= Rs.8,37,205/-
- Petitioner no.3 (BR04GB7411)= Rs.8,47,835/-

Divyansh/-

(Dr. Anshuman, J)

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