

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18222 of 2026

Arising Out of PS. Case No.-60 Year-2025 Thana- GAURICHAK District- Patna

Ram Prakash Yadav, son of late Dev Nandan Yadav, Resident of Mohalla-Naya Tola, Kumhrar, Bahadurpur Housing Colony, Ashok Nagar, PS-Agamkuan, Dist- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. The Mineral Development Officer, Patna, Bihar
3. The Mines Inspector, Patna, Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Avinash Chandra, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 08-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Gaurichak P.S. Case No.60 of 2025, dated-06.02.2025, registered for the offences punishable under Sections 56(1)(i) and 56(2)(ii) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rule 2019 (Amended Rule 2024, and Section 303(2) of the B.N.S.

3. As per allegation, two JCB machines and ten Hyva trucks were found to be involved in illegal mining of soil and after seeing the raiding party, the drivers of the vehicles fled



away, leaving behind the vehicles and the alleged vehicles were seized. As per the written report, only two trucks were loaded with some soil, whereas the others were empty.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has been implicated in this case whimsically. He further submits that the Petitioner is no way involved in the alleged offence and his truck was running on road for commercial purpose and without any rhyme and reason it has been seized by the concerned authority. Even as per the written report, the truck belonging to the Petitioner was not loaded with any soil, which clearly shows that the truck was not involved in any mining, let alone illegal mining of soil. He further submits that similarly situated co-accused, Sujeet Kumar and Vinay Kumar, and Raj Nandan, Sanjay Kumar, Ranjan Kumar and Ravi Kumar have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 22.08.2025 and 29.08.2025 passed in Cr.Misc. No.54904 of 2025 and Cr.Misc. No.56904 of 2025 respectively.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the



petition that the petitioner has been made accused in two other cases in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Gaurichak P.S. Case No.60 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong,
learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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