

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17861 of 2026**

Arising Out of PS. Case No.-130 Year-2025 Thana- ARIYARI District- Sheikhpura

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Rajnish Kumar ( Prop. Krishna Enterprises) Son of Ranjit Singh Resident Of  
Village- Hathiyawan, Ps- Hathiyawan, Dist- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mines Inspector, District Mining office, Sheikhpura, Bihar bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Madhav Raj

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

5      27-07-2026

1. Heard learned counsel for the petitioner, learned  
A.P.P. for the State and the learned counsel appearing on behalf  
of the Department of Mines.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 318(4) of  
the BNS, 2023 read with Section 56 of Bihar Minerals  
(Concession, Prevention of Illegal Mining, Transportation &  
Storage) Rules, 2019.

3. The SHO and the Investigating Officer of the case,  
in compliance of the order dated 23.07.2026, are present in the  
Court

4. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and the informant  
alleges that based on logging into the mining soft login ID  
“dmosheikhpura”, it transpired that licensee under Ariyari P.S.



have illegally brought minor minerals from other state on his license site through railway racks, whereas from information received, transportation and unloading of minor minerals has not been done at any railway station within Sheikhpura district through railway racks from other states, further during inquiry it transpired that licensee had uploaded blurred and forged document on mining department portal and add capping- request was approved illegally, thus, the capping was also increased illegally, the licensee including the petitioner added 15455 metric tonnes of minor minerals on his ID.

5. The learned APP, at this stage, submits that the offences for which the instant FIR has been instituted carries punishment of seven years and less. It is further submitted that notice under Section 35(3) BNSS has been given to the petitioner. It is also submitted based on instruction of the SHO and the Investigating Officer that presently the police does not intend to arrest the petitioner and in the event if any material will transpire during the course of investigation necessitating arrest of the petitioner, in that event the same shall be done in accordance with law, on which learned counsel appearing on behalf of the petitioner submits that after notice under Section 35(3) BNSS was given to him, the petitioner cooperated in the



investigation with the I.O, but then I.O. of the case was harassing him for which a supplementary affidavit has been filed based on which the SHO and the I.O. were summoned today.

6. The SHO, who is present in the Court, submits that new Investigating Officer has been appointed in the case who has taken charge on 12.07.2026. It is further submitted that earlier I.O. has been suspended.

7. At this stage, the learned counsel for the petitioner, based on instruction, submits that petitioner will keep cooperating in the investigation and seeks permission to withdraw the anticipatory bail application with liberty to the petitioner to file afresh, if need arises.

8. Permission is accorded.

**9. Accordingly, the instant anticipatory bail application stands dismissed as withdrawn.**

10. The personal appearance of the SHO and the Investigating Officer of the case is dispensed with.

**(Satyavrat Verma, J)**

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