

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36502 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- BELAGANJ District- Gaya

Sunil Yadav S/o- Kameshwar Yadav R/v- Bhikhachak Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Belaganj P.S. Case No. 26 of 2026, registered for the offences punishable under Sections 303(2), 317(2), 113(3) and 111(4) of the BNS, Section 21 of the Mines And Minerals (Development & Regulation) Act and Section 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Amendment Rules.

3. The allegation against petitioner is of committing theft of sand from *Falguni* river crossing village *Dalelchak* by way of illegal mining.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is not connected in any manner with seized vehicle and mere on the basis of suspicion as raised by local *chawkidar*, he was implicated as an accused with present crime in question alongwith 30 named co-accused and 20 unknown co-accused persons. It is submitted that save and except suspicion nothing surfaced against this petitioner and considering the same other named co-accused namely, Jitendra Kumar @ Jitendra yadav and Sudhansu Kumar @ Sudhanshu Kumar has already granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 35371 of 2026 vide order dated 01-06-2026 and therefore, as a matter of judicial parity this petitioner also deserves bail.

5. It is pointed out that one of the reason of suspicion as to implicate this petitioner with present crime in question is his criminal antecedents as he was implicated with seven similar nature of cases and in maximum of these cases he was implicated with same manner as of present on the basis of suspicion, where he is on bail.



6. Learned APP duly assisted by learned counsel for the Department of Mines while opposing the prayer of bail could not disputed the aforesaid factual submission as advanced by learned counsel for the petitioner.

7. In view of aforesaid factual submission and by taking note of fact as *prima-facie* the petitioner implicated with present crime in question only on the basis of suspicion as discussed aforesaid, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya /concerned Court, where the case is pending in connection with Belaganj P.S. Case No. 26 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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