

Arising Out of PS. Case No.-246 Year-2025 Thana- AKBARPUR District- Nawada

... .. Petitioner/s

Versus

- ... .. Opposite Party/s

For the Petitioner/s : Mr. Shashank Chandra  
For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.  
For Deptt. Of Mines : Mr. Naresh Dikshit

2      01-05-2026      1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the Department of Mines.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 303(2), 132, 111 and 3(5) of the B.N.S.

3. The learned counsel for the petitioner submits that in the order impugned, it is recorded that petitioner has antecedent of four cases when petitioner has antecedent of two cases only as pleaded at Para-3 of the regular bail application, further clarified by pleading made at Para-15 of the regular bail application. It is further submitted that the petitioner is in custody since 10.03.2026 and has antecedent of two cases. It is further submitted that though allegation is of illegal sand mining



but then the case has not been instituted Bihar Minor Mineral Concession Rules, 1972. It is also submitted that neither tractor nor sand was seized at the place of occurrence, but then a motorcycle was seized which was in name of the wife of the petitioner, thus the petitioner came to be implicated in the instant case.

4. Learned A.P.P. as well as the learned counsel appearing on behalf of the Department of Mines is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that neither sand nor tractor was seized from place of occurrence.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Akbarpur P. S. Case No.246 of 2025.

6. The application stands allowed.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

