IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37377 of 2026

CNR No. BRHC010540772026

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

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Nitu Devi W/o Karyanand Sharma @ Karmanand Singh R/o vill - Kulna, P.S.- Akbarpur, Distt.- Nawada

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Deepak Kumar, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 25-11-2026 Heard the parties.

2. The petitioner seeks pre-arrest bail in connection with Akbarpur P.S. Case No. 246 of 2025 registered for the offence(s) punishable under Sections 303(2), 132, 111 and 3(5) of the BNS.

3. As per the allegation made in the FIR, one tractor bearing Registration No.BR27G-8332 was seized loaded with sand and the accused persons are said to be sand mafia and illegally extract sand from river.

4. Learned counsel appearing on behalf of the petitioner submitted that offence is compoundable under Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage) Amendment Rules and

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petitioner seeks to deposit the amount of compensation in accordance with the provision of the said Section.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of parties, as well as, the provision of Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage) Amendment Rules, the authority concerned is directed to serve a copy of the assessment to the petitioner within a period of two weeks. Thereafter, the petitioner is directed to deposit the compounding fee, as well as, the amount of penalty, if any, before the District Mining Officer concerned. The District Mining Officer, after being satisfied, is directed to issue certificate to the extent that the offence has been compounded after the petitioner has deposited the required amount of penalty. The above exercise is required to be carried out within a **period of four weeks from the date of passing of this order**. **During the time taken in process, no coercive action is required against the petitioner.**

7. The learned District Court considering that the offence is compoundable enlarge the petitioner on pre-arrest bail, on such terms and conditions, as

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the learned District Court deems it fit and proper, provided he surrenders before the learned District Court within a further period of two weeks **(after expiry of four weeks)**.

8. In case of failure on the part of the petitioner in participating in the proceeding or he deliberately don't surrender under the time prescribed by the Court, the interim protection granted to her shall lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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