

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44105 of 2026

Arising Out of PS. Case No.-102 Year-2025 Thana- VALMIKINAGAR District- West
Champaran

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Bhola Sah @ Bhola Kumar S/O Bal Kishun Sah R/O Village- Hawaii Adda,
Ps- Valmikinagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Giri, Sr. Advocate Mr. Harsh Vardhan, Advocate
For the Opposite Party/s :		Mr. Hansh Raj, Advocate Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2026 Heard learned senior counsel for the petitioner and
learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Valmikinagar P.S. Case No. 102 of 2025 registered for the alleged offences under Sections 109(1), 3(5) of Bhartiya Nyaya Sanhita, 2023, Sections 11, 43 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019 and Section 4(I)(a) of Mines and Minerals (Development and Regulation) Act, 1957.

03. As per prosecution case, one tractor was intercepted carrying illegally mined sand and when it was being intercepted, the driver tried to turn over the vehicle on one of



the home guards of the intercepting team. The said guard sustained fracture in his right hand. On query being made from people nearby, the name of the petitioner and other co-accused persons transpired, who were involved in illegal mining of sand.

04. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and has no role in the whole occurrence. The allegation of trying to cause death of the Constable is not correct. The Constable has not received any serious injury. The injury report of the said person shows only pain in his right hand and no abnormality was detected. Learned senior counsel further submits that the owner of the vehicle has already paid the compounding fee of Rs.1,05,310/-. The petitioner is having antecedent of four cases and he is on bail in all the cases. The petitioner is in custody since 16.04.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner has made an attempt on the life of a home guard.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, West Champaran/concerned Court in connection with Valmikinagar P.S. Case No. 102 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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