

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46030 of 2026**

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

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1. Santosh Kumar S/o Jitendra Kumar @ Jitendra Yadav R/o vill - Sonpur, P.S.- Belaganj, Distt.- Gaya
  2. Pankaj Kumar S/o Anil Kumar @ Anil Yadav R/o vill - Kabirpur, P.S.- Belaganj, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mines Inspector, Gaya Ji

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|------------------------------------|
| For the Petitioner/s     | : | Mr. Aryan Singh, Advocate          |
| For the Opposite Party/s | : | Mr. Md. Mushtaque Alam, APP        |
| For Respondent           | : | Mr. Naresh Dikshit (Spl. PP mines) |

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**CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA**  
**ORAL ORDER**

2      22-07-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks anticipatory bail in connection with Belaganj P.S. Case No. 26 of 2026, registered for the offences punishable under Sections 303(2), 317(2), 111(3) and 111(4) of B.N.S., Section 21 of the MM (D & R) Act and Section 56 of the (CPIMT & s) Rule.

3. The prosecution case, in short, is that upon receiving information regarding illegal sand excavation at Falgu river near Dalelchak village, when the informant reached the place of occurrence with police officials has seen 20-25 tractors



and excavation of sand; however, taking advantage of the darkness, most tractor drivers and individuals fled the scene leaving behind three tractors along with trolleys containing 100 CFT of sand, and one co-accused, namely Bijay Yadav, was apprehended on the spot. It is further alleged that 30/37 named persons along with 15–20 unknown individuals were implicated based on local chowkidar and secret sources, alleging a loss of Rs. 51,24,780/- to the public exchequer.

4. Learned counsel for the petitioners submits that the petitioners are innocent, have clean antecedents, and have been falsely implicated due to local enmity through the chowkidar without any concrete material on record. Further, attention of this Court is drawn toward co-accused persons have already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 01.06.2026 passed in Cr. Misc. No. 35371 of 2026 (Annexure P/2).

5. Learned A.P.P. for the State and learned counsel for the Department of Mines oppose the prayer for anticipatory bail.

6. Having considered the rival submissions, the clean antecedents of the petitioners, and the grant of anticipatory bail to similarly situated co-accused persons by a Co-ordinate Bench of this Court vide Annexure P/2, this Court is inclined to allow



the present application.

7. Accordingly, in the event of arrest or surrender before the Learned Court below within four weeks from today, the petitioners above-named shall be released on anticipatory bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) each with two sureties of like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Gaya in Belaganj P.S. Case No. 26 of 2026, subject to the conditions laid down under Section 482(2) of the BNSS.

**(Ranjan Kumar Jha, J)**

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