

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46823 of 2026**

Arising Out of PS. Case No.-127 Year-2026 Thana- PARAIYA District- Gaya

Sudhir kumar son of Birendra Prasad Resident Of Village- Maranchi Ps-  
Paraiya Dist -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      21-07-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Paraiya  
P.S. Case No. 127 of 2026 instituted for the offences under  
Sections 303(2), 317(2), 112 of the Bharatiya Nyaya Sanhita,  
Sections 21, 4(1A) of the MMDR Act and Sections 56, 39 of the  
CPIMTS Act.

3. Prosecution case, in short, is that the petitioner is  
alleged to have been involved in illegal sand mining from the  
Morhar River and facilitating the unauthorized transportation of  
excavated sand, thereby causing loss to the government.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner nor any truck loaded with illegal sand, or any kind of illicit material has been recovered from the petitioner except the mobile phone of the petitioner. He further contended that there is no material against the petitioner to show his involvement in the alleged occurrence. Learned counsel further submitted that, as a matter of fact, the petitioner was passing from the spot and police, on the basis of suspicion implicated him in the present case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.05.2026 and has four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- ( Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paraiya P.S. Case No. 127 of 2026, subject to the following conditions:



(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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