

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52379 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- YADOPUR District- Gopalganj

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Saurabh Abhishek, S/o Satish Kumar, R/o Mohalla- Mogalpura, Sixth Floor,
P.S.- Patna City, Distt.- Patna, At present Mining Inspector, Gopalganj, P.S.-
Gopalganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar, Incharge Mining Officer, Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rahul Kumar, Adv.
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar, APP
For the Department of Mines	:	Mr. Naresh Dikshit, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Yadipur PS Case No. 76 of 2026 lodged on 20.03.2026, for the
offences punishable under Sections 198 and 217 of B.N.S. and
Section 21 of Mines And Minerals (Development and
Regulation) Act, 1957.

3. As per the prosecution, the allegation against the
petitioner who is a Mining Inspector, Gopalganj, is that he is



involved in illegal mining of sand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel further submits that the offences under Sections 198 and 217 of BNS are bailable whereas offence under Section 21 of the Mines And Minerals (Development and Regulation) Act, 1957, is not maintainable against the petitioner as he himself is a mining official.

5. Learned APP for the State as well as learned counsel appearing on behalf of the Department of Mines opposes the prayer for bail but fairly submits that only on the basis of suspicion, the present case has been filed against the petitioner.

6. In the facts and circumstances of the case and considering the fact that there is no ingredients against the petitioner and only on the basis of suspicion, present case has been lodged against the petitioner, let the above-named petitioner be released on bail, in the event of his arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the Bharatiya Nagrik Suraksha Sanhita, 2023, to the satisfaction



of the learned ACJM-X, Gopalganj in connection with the
aforementioned case, subject to the conditions as laid down
under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita,
2023.

7. It is made clear that the observations made here-in-
above shall not be used during trial.

(Dr. Anshuman, J)

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