

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47243 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- HISUWA District- Nawada

1. Chandan Kumar Son of Anil Singh Resident of Village- Latawar, P.S.- Hisua, District- Nawada.
2. Pawan Kumar Son of Babulal Singh Resident of Village- Latawar, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 303(2), 317(2) & 111(3) of the Bhartiya Nyaya Sanhita.

3. As per FIR, Mining Officer, Nawada, who is the informant of the present case, along with other police officials had conducted raid on 13.02.2026 at Dhadhar River at village – Tungi to nab the persons engaged in illegal mining of sand. On seeing the police party, all the accused persons fled away from the spot leaving one tractor along with trailer bearing Engine No. E378370 AND Chassis No. 105368754LN, from where five



CFT of illegally mined sand was recovered. The local *chowkidar* disclosed the name of 15 accused persons, who were allegedly involved in illegal sand mining activities.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are neither connected with the seized truck/trailer nor with the sand in any manner. It is pointed out that out of local dispute and differences, the local *chowkidar* named these petitioners particularly in view of suspicion. Petitioners were not arrested on the spot and except suspicion, there is no other material available on record to substantiate the allegations levelled against these petitioners. Similarly situated co-accused, namely, Sudhir Chaudhary has already been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 25.06.2026 passed in Cr. Misc. No. 40925 of 2026. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P. S. Case No. 91 of 2026, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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