IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67487 of 2026

CNR No. BRHC010938682026

Arising Out of PS. Case No.-135 Year-2026 Thana- MADANPUR District- Aurangabad

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Pankaj Kumar Singh Son of Vijay Kumar Singh @ Vijay Singh R/O Village - Khaira, P.S.- Mali, District - Aurangabad.

... ... Petitioner/s

Versus

1. The State of Bihar
2. The District Mines and Minerals Officer, Aurangabad, Bihar. Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP
For the Mines Dept. : Mr. Naresh Dikshit, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-11-2026 Heard Mrs. Mukul Kumari, learned counsel for the petitioner and learned counsel representing the Mines Department beside learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Madanpur P.S. Case No. 135 of 2026 registered for the offence under Sections 303(2) and 317(2) of the B.N.S. and section 21 of MM (D&R) Act, 1957 and section 56(2) of the Bihar Minor Mineral Rules 2021, lodged on 01.04.2026 by the informant, Md. Ekbal Hussain.

3. As per the prosecution story, the informant alleged that while on patrolling duty and checking the vehicle and upon

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search soil was found loaded. When the document was asked for, the same could not be supplied. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he was having valid paper which will be produced at the time of hearing. For the present, without accepting the allegation or outcome of the present petition he intends to pay Rs.1,00,000/- to the Mines Department which may be allowed to be paid in installment in following manner:

(i) Rs.50,000/- at the time of execution of bail bond;

(ii) Rs.25,000/- on 25.12.2026;

(iii) Rs.25,000/- on 25.01.2027.

5. Learned counsel representing the Mines Department opposes the prayer submitting that though soil was being taken illegally, if he is ready to pay some of the fine amount, an appropriate order can be passed.

6. Taking into account the submissions of the parties as also that F.I.R. is there, the petitioner shall be facing the music, is ready to pay Rs.1,00,000/-, as recorded above, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of

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arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 135 of 2026 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any

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criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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