IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72302 of 2026

CNR No. BRHC011011972026

Arising Out of PS. Case No.-512 Year-2026 Thana- BIHTA District- Patna

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1. Lav Kumar @ Lav Yadav S/o Ram Badan Yadav @ Late Kamlesh Yadav R/o Village- Kenhanpur, P.S- Bihta, Distt.- Patna.
2. Jitendra Yadav @ Bhola @ Jitendra Kumar S/o Badan Yadav R/o Village- Kenhanpur, P.S- Bihta, Distt.- Patna.
3. Phagu Yadav @ Abhay Kumar S/o Vijay Yadav R/o Village- Kenhanpur, P.S- Bihta, Distt.- Patna.

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. Govind Kumar, Mining Inspector, District Mining Office, Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ram Jiban Pd Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP
For the Mines : Mr. Naresh Dixit, SPL. PP Mines

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Bihta P.S. Case No. 512 of 2026 for the offence under sections 192, 190, 132, 352 and 351(2) of the Bharatiya Nayay Sanhita lodged on 22.05.2026 by the informant, Govind Kumar.

3. As per the prosecution story, the informant, who is a Mining Inspector, Patna alleged that while the mining force was raiding the village Kenhanpur to prevent illegal mining,

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transportation and storage, those engaged in the illegal mining abused and resorted to assault. A video was also prepared on the basis of which the accused persons were identified which included these petitioners. This led to the present case.

4. Learned counsel for the petitioners submits that being resident of that area, naturally they will be available on the video due to their movement but that cannot be a reason to make them accused in the present case.

5. He further submits that without accepting the allegation and/or the outcome of the present petition, the petitioner submits that he intends to contribute Rs. 10,000/ to the Chief Minister’s Relief Fund.

6. Learned APP opposes the prayer, submitting that they abused and assaulted the Mining Inspector and the team which was raiding the area.

7. Taking into account the submissions of the parties aforesaid as also that the FIR is there, they shall be facing the music, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the Chief Minister’s Relief Fund through Demand Draft and the receipt be submitted to the learned trial Court.

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8. Let the petitioners be released on bail in the event of 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) each with two sureties of like amount each to the satisfaction of learned A.C.J.M 2nd , Danapur, (Patna) in connection with Bihta P.S. Case No. 512 of 2026 subject to the following conditions:

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

(ii) the petitioners 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 their bail bond by the Trial Court itself;

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

(iv) the petitioners shall appear before the concerned police station every month for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be

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taken for the cancellation of the bail bonds;

(v) the petitioners 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;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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