

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80671 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- DHORAIYA District- Banka

1. Md. Faziruddin @ Fajiruddin, aged about 54 years, Male, S/O Late Md. Amiruddin, Resident of Village Karharia, Police Station-Dhoraiya, District-Banka (Bihar)
2. Abdullah Maulana Faziruddin @ Md. Abdullah @ Abdullah, Son of Md. Faziruddin @ Fajiruddin, Resident of Village Karharia, Police Station-Dhoraiya, District-Banka (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 303(2), 317(2) and 223 of the BNS and Section 4(1), (2) and 21 of the Mining Rule, 1957.

3. As per allegation in the FIR, the illegal mining of sand was carried out by the two tractors, due to which, loss of government exchequer money approximately of Rs.74,906/-.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next



submits that petitioner no.1 is father of petitioner no.2.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners and submits that both the petitioners are on police bail under Section 35(3) of the BNSS since 28.03.2025 and on account of that the present anticipatory bail petition is not maintainable.

6. In view of the aforesaid facts as well as the fact that both the petitioners are on police bail under Section 35(3) of the BNSS since 28.03.2025 and the present anticipatory bail petition is not maintainable.

7. According the present anticipatory bail application is disposed of.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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