

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79580 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- JALALPUR District- Saran

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1. Muklesh Rai S/O Birendra Rai R/O Village- Singahi, P.S.- Doriganj, Dist.- Saran at Chapra
 2. Biresh Kumar Yadav S/O Gobardhan Yadav R/O Village- Singahi, P.S.- Doriganj, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Jalalpur P.S. Case No. 235 of 2024 registered for the offences punishable under Sections 303(2) and 317(2) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that during inspection, one overloaded truck with sand was apprehended near SDS college, but driver fled and the truck along with 50.15 metric ton yellow sand was seized.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that the sand was being carried in pursuance of a validly issued challan, but the



authorities for reasons best known implicated the petitioners in the instant false case.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application and submits that the challan furnished by the petitioners was issued in favour of Maa Rajeshwari Construction, Gopalganj and the challan was issued only for 22.87 metric ton yellow sand, but in the truck 50.15 metric ton yellow sand was found which was in much more quantity than for which the challan were issued. It is also submitted that minor mineral within the meaning of Section 2(e) of the MMDR Act are natural resources and public property and the manner in which illegal sand mining is resorted to, the same is having adverse impact on the environment also.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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