

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83073 of 2025

Arising Out of PS. Case No.-442 Year-2025 Thana- BARUN District- Aurangabad

1. Pintu Singh W/O- Sujit Kumar Singh R/O Village-Jamalpur, P.S- Ballia, District-Ballia (Uttarpradesh).
2. Nagendra Kumar @ Narendra Kumar Yadav @ Narendra Yadav S/O- Parshuram Yadav R/O Village-Maniyar, P.S-Maniyar, District-Ballia (Uttarpradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari , Advocate
For the Opposite Party/s : Mr. Parmanand Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehends arrest in a case registered for the offence punishable under sections 303 (2), 317 (2) and 3 (5) of BNS and section 21 of Mines and Minerals (Regulations and Development) Act 1957.

3 . As per the prosecution case , on 19.09.2025 , informant seized three mines loaded truck due to invalid challan . Different trucks bearing *JH02BF5541* loaded with 69230kg, *JH02BU 1819*, loaded with 58325 kg mines, *JH02Bu6638* loaded with 53890 kg mines, *JH02AT8571* loaded with 41519 Kg mines, *JH02BP 3918* loaded with 49950 kg



mines, *JH19F0287* loaded with 69005 kg mines, *JH19E1057* loaded with 66715 kg mines, *UP60AT 2885* loaded with 56395 kg, mines.

4. Learned counsel for the petitioners submits that petitioner No. 1 is owner and petitioner No. 2 is driver of the seized Truck bearing *Reg. No. UP 60AT 2885* which was seized by the informant loaded with 56395 kg Coal, without having valid challan . Petitioner No. 2, who is driver of the aforesaid vehicle has already deposited the fine amount of Rs. 58500/- which was imposed by the District Transport Officer, Aurangabad through e-Challan bearing, *Challan No. BR 8742250920143724* on 20.09.2025 for overloading. It is further submitted that allegation of transportation of coal without having challan is absolutely false against these petitioners.

5 . Learned counsel for the State opposed the prayer for bail and submitted that petitioners have deposited an amount of Rs, 58500/- of over loading charges to the Transport Department, which prima facie indicated the involvement of these petitioners in the unlawful transportation activity and upon verification of the document produced (Challan) was found forged and fabricated.

6. Considering the nature of accusation and gravity of



offence and other circumstances of the case , prayer for pre-arrest bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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