

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90810 of 2025

Arising Out of PS. Case No.-408 Year-2023 Thana- PARAIYA District- Gaya

Santosh Kumar Son of Surendra Yadav @ Surendra Kumar Resident of
Village - Bishunpur, Police Station - Paraiya, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mines Officer, Gaya. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No. 2 Mr. Aryan Singh
For the Mines	:	Mr. Naresh Dikshit Ms. Kalpna
For the State	:	Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 06-05-2026 Heard learned Counsel for the parties concerned.

2. This application, for grant of anticipatory bail, arises out of Paraiya Police Station Case No. 408 of 2023, registered for the offences punishable under Sections 379, 411 and 120(B) of the Indian Penal Code and Section 21 of M.M. (D.R.) Act and Section 56 B.M. (C.P.I.M.T. & S) Rules.

3. As per the First Information Report, the name of the petitioner has been disclosed by the local Chaukidar, stating that the petitioner, along with others, used to be indulged in theft of sand.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case due to oblique reasons. He further submits that the name of the petitioner has been disclosed by the local Chaukidar. The petitioner is neither the owner nor the driver of the tractor. Nothing has been recovered from the conscious physical possession of the petitioner.

5. Learned counsel for the Mines Department submits that the petitioner has one criminal antecedent of similar nature of offence and the name of the petitioner has been disclosed by the Chaukidar.

6. Regards being had to the submissions made on behalf of the parties taking into consideration the fact that the petitioner is neither the owner nor the driver of the tractor, and his name has been disclosed by the Chaukidar, no prima facie material has been brought on record to establish the petitioner's connection with the present offence, except his name disclosed by Chaukidar, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate-1st Class, Gaya, in connection with Paraiya Police Station Case No. 408 of 2023, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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