

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87325 of 2025

Arising Out of PS. Case No.-462 Year-2025 Thana- BIDUPUR District- Vaishali

Chandan Singh @ Arun Kumar Singh S/O Shiv Chandra Singh Resident Of
Village - Ramdauli, P.S- Bidupur, Dist.- Vaishali At Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mining Inspector Vaishali at Hajipur Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sachin Kumar, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP
For the Mines Department:	:	Mr. Naresh Dikshit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Sachin Kumar, learned counsel for the
petitioner, Mr. Shyam Kumar Singh, learned APP for the State and
Mr. Naresh Dikshit, learned counsel for the Mines Department.

2. The petitioner is apprehending his arrest in
connection with Bidupur P.S. Case No. 462 of 2025, F.I.R. dated
01.07.2025 registered for the offences punishable under Sections
303(2), 317(2) of the B.N.S., 2023 and Sections 56, 39(3) of the
Bihar Mineral Amendment Act, 2021.

3. Allegation against the petitioner is of involving in
illegal mining and trading of white sand without any valid license
due to which Government has suffered a loss of Rs. 15,60,225/-
(Rupees Fifteen Lakhs Sixty Thousand and Two Hundred Twenty
five).



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from perusal of the F.I.R., it appears that the present F.I.R. was instituted merely on the ground of suspicion and except suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and without verifying the genuineness that whether the petitioner is the owner of the vehicle in question and the present F.I.R. was instituted against the petitioner by the Department.

5. Learned APP for the State as well as learned counsel for the Mines Department, on the other hand, opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 462 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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