

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1801 of 2026**

Arising Out of PS. Case No.-305 Year-2024 Thana- RAJAON District- Banka

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Bhola Kapri S/o- Late Lakhan Kapri Resident of village- Navtolia PS-
Rajoun, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Department of Mines and Minerals Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offence under Sections 379, 411 of the Indian Penal Code, Sections 4(1), 21 of the MMDR Act, 1957 and Sections 11, 41 of the BMCPIMTS Rules, 2019.

3. As per F.I.R., a raid was conducted on 25.06.2024 at about 1 PM on Nereepa Road for illegal storage of sand and 1000 cubic feet illegally mined sand was found stored on the land, which belongs to this petitioner and no document regarding sand was produced, which suggests that this petitioner is involved in illegal mining and transportation of sand. The department has assessed the loss of revenue to the tune of Rs. 1,31,250/-.

4. Learned counsel for the petitioners submits that



petitioner is ready to deposit the alleged amount.

5. In the facts and circumstances of the case, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged 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 Chief Judicial Magistrate, Banka in connection with Rajoun Case No. 305 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the B.N.S.S. with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit **Rs. 1,31,250/-** (one lakh thirty one thousand two hundred fifty only) through **bank draft** in favour of District Mining Officer, Banka.

(B) If petitioner fails to comply the direction of this Court, the learned Trial Court would be at liberty to cancel the bail-bond of petitioner.”

6. It is made clear that aforesaid order has been passed only for considering the prayer for grant of anticipatory bail to this petitioner, without going into the merit of the case.

(Prabhat Kumar Singh, J)

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