

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4125 of 2026

Arising Out of PS. Case No.-74 Year-2025 Thana- PATKHAULI District- West Champaran

Ugriv Choudhary S/o Nathuni Choudhary @ Nathuni Chaudhayr R/o Village-
Goriya Patti, P.S- Bagaha, District- West Champaran, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Minerals and Mines Dept, Govt of Bihar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aakash Choudhary, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP
For the Mines Department	:	Mr. Naresh Dikshit, Spl. PP, Mines Mrs. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Aakash Choudhary, learned counsel for the

petitioner, Mr. Naresh Dikshit, learned counsel for the Mines

Department and Mr. Arun Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
18.08.2025 in connection with Pathkhauli P.S. Case No. 74 of
2025, F.I.R. dated 28.03.2025 for the offences punishable under
Sections 338, 336(3), 303(2), 317(2), 316(2), 318(4), 61(2) and
3(5) of the BNS, 2023 and section 21 of the Mines and Minerals
(Development and Regulation) Act, 1957 and Rules 11, 43 and
56 of the Bihar Minerals Concession (Amendment) Rules, 2019
read with the Amendment Act, 2021.

3. According to prosecution case, petitioner and other



accused persons produced forged letters and receipts purportedly issued by the District Mines Officer and District Transport Officer and got two trucks bearing Regd. No. BR06GE1265 and BR06GD0872 released.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is only the witness of the receipt issued by the Mines Department and he is not the beneficiary of the entire allegation as alleged in the FIR. The beneficiary is the owner of the truck in question. The receipt which was issued by the Mines Department which suggest that the owner of the truck in question has been received the truck from the Mines Department. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.08.2025.

5. Learned APP and learned counsel for the Mines Department have vehemently opposed the prayer for bail of the petitioner and submits that due to action of the petitioner the department has loss the revenue amounting Rs. 2,31,112/- and Rs. 2,47,458/- and apart from the aforesaid, petitioner carries one more case other than present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on



bail in the pending matter.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 the learned A.C.J.M.-1st, Bagaha, West Champaran in connection with Pathkhauli P.S. Case No. 74 of 2025, with the following conditions:

i. 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 her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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)

Ranjeet/-

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