

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.149 of 2026

Arising Out of PS. Case No.-193 Year-2025 Thana- KAUWAKOL District- Nawada

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1. Pratap Yadav @ Pratap Kumar S/o Surendra Yadav R/o Village - Bhorambagh, P.S - Kawakol, District - Nawada
 2. Pintu Yadav @ Pintu Kumar S/o Rohan Yadav R/o Village - Bhorambagh, P.S - Kawakol, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Muskan Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-04-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 305(e) and 317(4) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases as would manifest from the supplementary affidavit. It is next submitted that the informant alleges that a raid was conducted for seizing illegally mined sand from Nati river and 15114 cft. Sand was found illegally mined and the villagers disclosed the name of the petitioners.



Further, the accused are liable for payment of fine for illegal mining of sand.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners were not apprehended from the spot, as such, it cannot be presumed that sand was illegally mined by them. It is also submitted that though informant alleges that villagers informed that the sand was illegally mined by the petitioners, but then, the name of the person who disclosed the name of the petitioners is not disclosed in the FIR, when petitioners have not been implicated based on secret information which also casts an aspersion on the case of the prosecution. It is further submitted that since petitioners were earlier implicated in a similar case, as such, the informant in a mechanical manner implicated them. It is also submitted that if privilege of anticipatory bail is granted, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Kawakol P. S. Case No.193 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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