

Arising Out of PS. Case No.-367 Year-2025 Thana- GAYA MUFASIL District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Principal Secretary, Department of Mines and Geology Govt. of Bihar Patna.
- Opposite Party/s

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Advocate : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 01-04-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 367 of 2025 registered for the offence under Sections 303(2), 111(3), 111(4), 317(2), 317(4), 317(5) and 61(2) of the B.N.S., lodged on 21.04.2025 by the informant, Kashif Kamal.

3. As per the prosecution story, the informant alleged that on secret information that sand mafias are extracting sands near Falgu River, the place was raided and 15 to 20 Tractors seized. The loss was assessed as Rs.70,91,196/-, accordingly F.I.R. against named accused persons.

4. Learned counsel for the petitioner submits that he is neither the driver nor owner of any of the Tractor, is a labour and only because of criminal antecedent, got implicated. Further, some of the similar placed co-accused have been



granted bail by coordinate Benches of this Court one of the said order passed Cr. Misc. No. 4915 of 2026 (Shyam Kumar and Anr. vs. The State of Bihar).

5. Learned APP opposes the prayer submitting that his name has come in the F.I.R..

6. Taking into account the aforesaid facts as also that the petitioner is neither driver nor owner of the any seized Tractor and further similar placed co-accused have been granted relief, as recorded above, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Muffasil P.S. Case No. 367 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police



Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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