IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25006 of 2026

Arising Out of PS. Case No.-640 Year-2025 Thana- RAMNAGAR District- West Champaran

==========

Iktkhar Alam

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

==========

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 21-08-2026 Heard Mr. Ashok Kumar Mishra, learned counsel for the petitioner and the State as also the Mines Department.

2. The petitioner is apprehending his arrest in connection with Ram Nagar P.S. Case No. 640 of 2025 for the offence under sections 316(2), 318(4) of the Bharatiya Nyaya Sanhita and Sections 11, 39, 41, 43 and 56 of the Bihar Minor Minerals Concession Act (BMMC Act) and Section 4 and 21 of the Minerals Development and Regulation Act (MMDR Act) lodged on 22.10.2025 by the informant, Komal Kumari.

3. As per the prosecution story, the informant alleged that the petitioner who is a license holder, illegally added /increased the mineral capping in the I.D. and misused it by

WEB COPY

having the sand more than what was allowed to store. This led to the FIR.

4. Learned counsel for the petitioner submit that the accepted facts are that he is a license holder, whether any license agreement has been violated or not, no notice has been received and straightaway the FIR. He is ready to appear before the Mineral Development Officer, West Champaran, Bettiah so that the misconception/confusion can be cleared and if the Mines Department is entitled to any amount, he is also ready to pay it.

5. Learned counsel for the Mines Department though opposes the prayer submits that if he is ready to approach the Mineral Development Officer, Bettiah, an appropriate order can be passed.

6. Taking into account the aforesaid facts as also that the petitioner is ready to appear, undertaking has been given and he shall be appearing in next two weeks and this Court fixes on 7th September 2026 at 11:00 AM, whereafter the concerned Officer shall be free to fix another date. The amount that the concerned Officer decides and provides the petitioner in writing through an office order, the petitioner will be duty bound to pay the same.

7. Taking into account the submissions of the parties as also has taken note of the fact that the petitioner do not have criminal antecedents, in that background, this Court is inclined

WEB COPY

to extend him the privilege of anticipatory bail with conditions.

8. 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 Sub Divisional Judicial Magistrate, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 640 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 (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) 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 bail bond by the Trial Court itself;

(iii) 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;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty

WEB COPY

to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

munindra/-

U		T	

WEB COPY