IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58250 of 2026

Arising Out of PS. Case No.-398 Year-2022 Thana- DINARA District- Rohtas

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Mohar Lal Son of Late Bhagwan Prasad Resident of Mohalla- Pali, Ward No. 14, Dalmianagar, Dehti-on-Sone, P.S.- Dehri-on-Sone, District- Rohtas at Sasaram.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Mines and Geology Department, Govt. of Bihar, Patna through its Director. Bihar, Patna.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Uma Shankar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 18-08-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 379, 411 of the Indian Penal Code and Sections 56(1), 56(2) Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and Section 15 of the Environment (Protection) Act.

3. As per prosecution case, petitioner is owner of the truck bearing registration no. JH09F4158, which was intercepted at NH-30 carrying 791 CFT illegal sand, without having any valid *Challan*.

4. Learned counsel for the petitioner submits that petitioner has been implicated in this case merely because he is owner of the truck in question. Petitioner was not present at the

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place of occurrence and he had no knowledge about transportation of illegal sand and the same was being transported without his consent. However, without admitting his guilt, petitioner is ready to pay Rs. 50,000/- in the office of District Mining Officer, Rohtas at Sasaram.

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below 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 Judicial Magistrate, 1st Class, Bikarmganj, Rohtas in connection with Dinara (Bhanas O.P.) P. S. Case No. 398 of 2022, subject to condition as laid down under Section Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita with direction to the petitioner that :-

(i) Petitioner shall deposit Rs. 50,000/- (fifty thousand) through Bank Draft in the office of District Mining Officer, Rohtas at Sasaram and produce its receipt at the time of furnishing bail-bond.

(Prabhat Kumar Singh, J)

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