

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

A.B.A. No. 1096/2026

Ref:- Arising out of Bakhri P.S. Case No. 151/2026

Dt: 30.04.2026

U/S-303(2), 317(2) of B.N.S. & 56(1), 56(2) of Bihar Minerals (Concession, Illegal Mining, Transportation and Storage Prevention) Rules.

In the matter of :-

Anil Kumar Singh, S/o Late Shiv Chandra Singh, R/o vill. Chandpura, Ward No. 14, P.S. Neemachandpura, Distt. Begusarai

.....Petitioner

Vrs

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner:-Sri Alok Kumar, Ld. Adv.

Ld. Counsel for the O.P. :- Ld. P.P I/C

Date of order:-06.06.2026

ORDER

An anticipatory bail petition has been filed on behalf of above named accused/petitioner who is apprehending his arrest in connection with above mentioned case for committing of offence u/s 303(2), 317(2) of B.N.S. & 56(1), 56(2) of Bihar Minerals (Concession, Illegal Mining, Transportation and Storage Prevention) Rules, and the same has been put up for hearing.

Heard Learned Counsel Sri Alok Kumar, appearing on behalf of accused/petitioner, Learned P.P. I/C for the State.

As per the F.I.R., the prosecution case, in brief, is that on 28.04.2026 at about 10 A.M. during patrolling, police got secret information that two Hywa containing soil illegally from Mauji Harithan Singh to Suja. On this, he alongwith police personnel reached Mauji Hari Than Singh and saw that one Hywa without registration no. whose chasis no. MBIAXGCD9KRFL, Engine no. KFF2413562 containing soil and second Hywa bearing reg. no. BR09GA-9772 after unloading the sand and on seeing police party, the drivers fled away leaving their vehicles. Thereafter, vehicles were seized and seizure list was prepared. On the basis of the said recovery, the present case has been instituted.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that the petitioner has not filed any bail either anticipatory bail or regular bail before this court or any higher court. It is further submitted that petitioner is quite innocent, has committed no offence and has been falsely implicated in this case. The petitioner has no criminal antecedent. It is further submitted that the petitioner is the owner of Hywa bearing Reg. No. BR09GA-9772 from whose possession nothing has been recovered. The petitioner's vehicle was coming from unloading the bricks and bricks is not come under the Mining Act. So, no case of any section is made out against the petitioner. Lastly, he submitted that the petitioner is ready to abide all the conditions imposed by the court, so he may be released on bail.

On the other hand, the learned P.P. In-Charge, appearing on behalf of the State, vehemently opposed the prayer for bail.

Heard learned counsel for the parties and perused the case record. From the F.I.R., it appears that the allegation against the petitioner is that the Hywa bearing Registration No. BR09GA-9772, along with another Hywa, was involved in transportation and unloading of soil. During the course of investigation, the aforesaid vehicle was seized. From perusal of the case diary, particularly paragraph 19, it appears that the petitioner is the registered owner of the seized Hywa bearing Registration No. BR09GA-9772. It further appears that no incriminating article has been recovered from the possession of the petitioner or from his vehicle. On the contrary, the materials collected during investigation indicate that the vehicle was engaged in unloading bricks, as reflected from paragraphs 44, 46 and 48 of the case diary. It further appears from paragraph 55 of the case diary that the petitioner has no criminal antecedent.

Considering the nature of accusation, the materials collected during investigation, the fact that no incriminating article has been recovered from the vehicle of the petitioner, and the absence of any criminal antecedent, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, in the event of arrest or surrender before the learned Court below within one month from the date of this order, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Bakhri P.S. Case No. 151 of 2026, subject to the conditions as prescribed under Section 482(2) of the B.N.S.S. subject to the following conditions:

1. That one of the bailors must be relative of the accused/petitioner.
2. The petitioner shall not directly or indirectly give any inducement, threat, promise to any person acquainted with the facts of the case as to dissuade him from disclosing of such fact to the court or any police officer.

(Dictated)

S/d-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	06.06.2026
Date of Reserving Judgment/Order	N.A
Uploading Date	08.06.2026
Uploaded by	Kunwar Akash Raj