

IN THE COURT OF IInd ADDITIONAL SESSIONS JUDGE, BHOJPUR AT ARA
Sujeet Kumar Vs. State of Bihar
A.B.P. No.-537 of 2026
Koilwar P. S. Case No. 250/2025
U/ss -318(4), 223, 3(5) of B.N.S. & 56(1), 56(2) of B.M.C. Rules.

Serial no.	Date of Order of proceeding	Order with signature of the Court	Office action taken with date
1	2	3	4

<u>09-03-2026</u>	<p>The present petition for anticipatory bail has been filed on behalf of accused/ petitioner namely Sujeet Kumar apprehending his arrest in connection with the present case.</p> <p>The prosecution case in brief is that the informant Priya Kumari gave self statement to the officer in-charge of Koilwar police station stating therein that during departmental scrutiny conducted by the District Mining Office, Bhojpur, it was detected that certain K-storage license holders within Koilwar Police Station jurisdiction had illegally increased the quantity of capping/minerals in their respective Mining Soft portal IDs without any authorization from the competent authority. It is alleged that upon logging into the departmental Mining Soft portal using the official login "dmobhojpur", the inspecting team noticed that capping/additional mineral quantity had been recovered and added in the user ID of the petitioner, despite no OTP having been issued on the official email mobile number of the District Mining Office, and despite no permission having been granted for any such capping enhancement. It is further alleged that by such illegal capping enhancement, the petitioner had dishonestly facilitated unlawful receipt and extraction of sand/mineral from outside the State through railway rakes, although no such sand had ever been transported or unloaded at Vindi Railway Station in Bhojpur district. It is also alleged that the petitioner, in connivance with unknown persons, had used unauthorised means to manipulate the Mining Soft portal, bypassed the departmental approval mechanism, and thereby violated the provisions of Rule 56(1) and 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019 as amended in 2024. The FIR further alleges that such manipulation amounted to illegal storage of minerals, which attracted penal provisions under Section 318(4), 223 and 3(5) of the BNS.</p> <p>Learned counsel for petitioner submitted that petitioner is innocent and has committed no offence. The entire allegation is false and baseless and the petitioner has been falsely implicated merely on the basis of technical entries in the portal without any material showing his</p>	
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<p><u>Conti.....</u> 09-03-2026</p>	<p>involvement in unauthorized addition of capping or illegal extraction. As per FIR materials, no specific overt act has been assigned to the petitioner regarding manipulation of login ID, receipt of OTP, unauthorized access to departmental email/mobile, or illegal physical extraction of minerals. The prosecution story is general and not supported by specific evidence. The petitioner is a bonafide license holder running a lawful business and has always complied with departmental guidelines and has no role in technical approval of "Add Capping" which is exclusively controlled by the District Mining Office login. The alleged addition of capping appears to be the result of unauthorized access or technical error for which the petitioner cannot be held responsible without any cogent proof. The case is entirely based on documentary evidence available with the departmental and no custodial interrogation is required. No such occurrence has ever taken place as alleged by the informant. Co-accused Ashok Kumar Singh has been granted anticipatory bail by this court vide A.B.P. No. 3378 of 2025.</p> <p style="text-align: center;">Learned Additional Public Prosecutor has opposed the prayer of anticipatory bail.</p> <p style="text-align: center;">Arguments heard and record perused.</p> <p>From the perusal of the record, it transpires that the allegations against the petitioner is that he manipulated mining soft portal without any authorization from the competent authority and increased the quantity of capping/minerals and he is also involved in illegal mining, illegal transportation and illegal storage of sand. The witnesses have supported the prosecution case in para no. 2, 3 and 4 of the case diary. It is further evident from the record that there is nothing on the record to show that how did petitioner manipulated mining soft portal without any authorization from the competent authority and increased the quantity of capping/minerals. There is also nothing on the record to show the illegal mining, transportation and storage of sand by the petitioner except the allegation. It is mentioned in para no.3 of the bail petition that the</p>	
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	<p><u>Conti.....</u> <u>09-03-2026</u></p>	<p>petitioner has two criminal antecedent.</p> <p>Therefore, keeping in view the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail in the event of his arrest or surrender before the learned court below within one month from today upon furnishing bail bonds to the tune of Rs. 10,000/- with two sureties of the like amount each subject to the satisfaction of court concerned. The anticipatory bail petition is accordingly allowed.</p> <p style="text-align: center;">Dictated</p> <p style="text-align: center;">(Sudhakar Pandey) IInd Addl. Sessions Judge Bhojpur at Ara 09.03.2026.</p>	
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