

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
TUNTUN KUMAR & 1 other VS. THE STATE OF BIHAR
A.B.A. NO. - 439 Of 2026

ORDER

Present: Sudhir Sinha

16.04.2026

This anticipatory bail petition has been filed on behalf of Petitioners **1. Tuntun Kumar** and **2. Pankaj Kumar** who are apprehending arrest in Jamui P.S. Case No. 132/2026 registered u/s- 303(2), 317(2), 317(5) of B.N.S, the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioners has submitted that the petitioners are quite innocent. No other bail petition has been filed on behalf of petitioners either in this Id. Court or before the Hon'ble High Court, Patna except the present one. The petitioners have got no criminal antecedent. The Police has not given notice u/s- 35(3) of BNSS to the petitioners. The petitioners have been falsely implicated in this case due to land dispute. The petitioner no. 1 is ready to deposit Govt. loss amount before the Mining Department. The petitioner no.-1 purchased tractor no. BR53A-6612 and trailer no. BR53A-6636 through affidavit no. 433/26 and 436/26 from Laljit Kumar dated 07.02.2026 and ownership could not be transferred by the petitioner no.1. The petitioners are persons of means, there is no chance of their absconding and they are ready to furnish bail bond to the satisfaction of the Id. Court. In such view the Id. Counsel prayed to admit the petitioners to anticipatory bail.

The Id. Addl. PP opposed the prayer for bail.

On perusal of the LCR and case diary it is clear that the petitioners are F.I.R. named accused persons. The prosecution case as per written information of Pawan Kumar is that on 18.03.2026 at about 06:05 A.M, he alongwith police party proceeded for raid against illegal sand mining. At around 07:40 AM as he reached at Navinagar Sand Ghat, he saw that a tractor was loading illegal sand in the trailer. Upon seeing the police vehicle the driver of the said tractor started fleeing away and left the tractor. With the help of the police force, he tried to catch the said tractor's driver but the driver managed to escape. It was one red colour Mahindra Tractor bearing registration no. BR53A-6612 Engine No. RENW01519. The loaded tractor with illegal sand was

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seized after preparing a formal seizure list, he along with police force brought from Navinagar Sand Ghat and kept it in Mahila P.S. The Court finds that the ld. Counsel for the petitioner has filed the photocopy of receipt dated 13.04.2026 of payment of fine of Rs. 1,10,650/- in the Mines and Geology Department, Jamui. As such privilege of pre-arrest bail may be accorded to the petitioners.

Therefore in view of the facts and circumstances of this case having regard to the submission of both parties, this anticipatory bail petition is **allowed**. The petitioners **1. Tuntun Kumar and 2. Pankaj Kumar** in the event of their arrest or surrender are directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court.

Dictated & Corrected

District & Addl. S.J -II, Jamui
16.04.2026