

A.B.P. No. 1475 / 2026

(Arising out of Giriyak P.S. Case No. 210/2026)

Umesh Yadav

V/s.

State of Bihar

Sl. No	Date of order or Proceeding	Order with the signature of the Court	Office action taken with date
	13-08-2026	The anticipatory bail petition dated 18.07.2026 received to this Court on 21.07.2026 filed on behalf of the petitioner Umesh Yadav, who is apprehending his arrest in connection with Giriyak P.S. Case No. 210/2026, dated 27.04.2026 registered U/s 303(2), 317(2), 3(5) of the B.N.S. has been placed before me for order after hearing, a copy of it has already been supplied to the learned P.P. Heard the learned counsel Sri Nagendra Kumar Nirala for the petitioner as well as the learned P.P. Sri Anuj Kumar on behalf of the State. The prosecution story as per the written report of the informant Md. Arman Rayeen, Mining Inspector, Nalanda, in brief, is that on 27.04.2026 at about 04:10 P.M., on the direction of the Assistant Director, Mines, Nalanda, a joint raiding team comprising the concerned Mining Inspector and police personnel conducted a raid near Baldariya More in the Sakari river area under Giriyak P.S. in connection with illegal excavation, transportation and storage of minor minerals. During the raid, two tractors carrying excavated soil were intercepted. It is further alleged that about 10–12 persons assembled at the spot and attempted to facilitate the escape of the intercepted vehicles. One tractor, bearing chassis No. DZQSH964989SM and without any registration number, was found loaded with approximately 150 CFT of Dhusmuna soil, covered with a tarpaulin. Its driver managed to flee from the spot. Another tractor bearing registration No. BR21K-2835, also loaded with approximately 150 CFT of Dhusmuna soil and covered with a tarpaulin, was seized. It is alleged that the seized vehicles were being used for illegal excavation and transportation of soil, thereby causing loss to the Government revenue. The seized vehicles were brought to Giriyak Police Station and the seizure list was duly handed over to the police. The alleged acts constitute violations of Rules 11 and 43 of the Bihar Minerals (Samudaan, Illegal Mining, Transportation and Storage Prevention) Rules, 2019, as well as Rules 56 and 30(4) of the amended Rules, 2024. The learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case. The petitioner is the owner-cum-driver of the alleged tractor bearing registration no. BR21K-2835. The whole prosecution story is false and concocted. No occurrence as alleged in the FIR has taken place. He has further submitted that it is matter of fact that the petitioner has loaded the soil From the field of one Sukhdeo Yadav, S/o Late Bachchu Yadav, bearing P.S. No. 343, Khata No. 155, Plot No. 1787, Mauza Sataua, Halka Adampur and the nature of land is Raiyati. The petitioner has got no any criminal antecedent. On these facts, he prayed that the petitioner be granted anticipatory bail.	

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	contd. 13-08-2026	The learned P.P. opposed the prayer of anticipatory bail of the petitioner. Having gone through the case record, it appears that this case has been registered U/s 303(2), 317(2), 3(5) of the B.N.S against the driver/owner of the tractor bearing Regn. No. BR21K 2835 and the petitioner happens to be the driver/owner of the said vehicle which is alleged to be loaded with approximately 150 cft. of Dhusmuna soil. It also appears from the record that the petitioner has filed letter of the Assistant Director of Mines & Minerals Department addressed to the Circle Officer, Nalanda in which a report has been called for about the nature, dispute etc. of the said land and the Circle Officer has given the report on 30.06.2026 stating therein that the said land is Raiyati and the name of the Raiyat is Sukhdev Yadav and the said land is not the Government land and it is an undisputed land. The petitioner has mentioned in the bail petition that he is not having any criminal antecedent and nothing contrary has come in the entire case diary received for hearing of this bail petition. Thus, considering the aforesaid facts and circumstances of the case, the petitioner Umesh Yadav is directed to be admitted on anticipatory bail on furnishing his bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned trial Court in the event of his surrender or arrest within one month from the communication of this order subject to the condition as laid down under Section 482 B.N.S.S. Dictated & corrected Sd/- (Khyati Singh) Addl. Sessions Judge 2nd Nalanda at Bihar Sharif <table><tr><td>Date of Judgment/Order</td><td>13-08-2026</td></tr><tr><td>Date of Reserving Judgment/Order</td><td>-</td></tr><tr><td>Date of Uploading</td><td>17-08-2026</td></tr><tr><td>Uploaded by</td><td>steno</td></tr></table>	Date of Judgment/Order	13-08-2026	Date of Reserving Judgment/Order	-	Date of Uploading	17-08-2026	Uploaded by	steno	
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