

**COURT OF DISTRICT & ADDL.  
SESSIONS JUDGE-IV, BARH (PATNA)**

**Bail Petition 93 of 2026**  
*Arising out of **Pachmahla P.S. Case No. 10 of 2026***

*(u/s 303(2), 317(2) BNS & 56 Bihar Mineral (Concession, Prevention of illegal Mining Transportation & Storage) Amendment Rule 2024)*

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| <b>(1) Mukesh Kumar</b><br><i>(Resident of Village : Banbira, P.S. Halai, District :Samastipur)</i> | <b>S/o : Ram Bilash Roy</b><br><b>Vs.</b> | <b>a/a: 35 Years</b><br><b>.....Petitioner</b> |
|   |   | ..... <b>Opposite Party (O.P)</b>              |

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For the Petitioners : *Sri Nitish Kumar & Sri Prince Kumar, Ld. Advocates*  
For the O.P.(State) : *Sri Bhupendra Paswan, Ld. Addl. Public Prosecutor,*

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**ORDER**

**PRESENT : SRI SHAILENDRA KUMAR SINGH, ASJ-IV**

**07/03/2026**

1. Bail petition dated **12/02/2026** for grant of regular bail filed on behalf of above named accused petitioner, who is in judicial custody **since, 27/01/2026** in connection with **Pachmahla P.S. Case No. 10 of 2026**, for the offence *u/s 303(2), 317(2) BNS & 56 Bihar Mineral (Concession, Prevention of illegal Mining Transportation & Storage) Amendment Rule 2024, pressed today.*
  
2. Heard, Ld. Counsel & Ld. Addl. Public Prosecutor (APP) appearing on behalf of the petitioner as well as the State.
  
3. Prosecution case, *in brief*, as per written report of informant **Govind Kumar**, Mining Inspector, District Mining Office, Patna is that on 26/01/2026 at 07:00 PM, near Pachmahla Police Station during checking one vehicle bearing registration No. BR-09-GA-8475 was found loaded with approx 700 CFT, white *ganga* sand. The said sand was transported without any permit/challan and it was over-loaded, which is a punishable offence under Bihar Minerals (CPIMTS) Amendment, Rule 2024.
  
4. It has been submitted by the Ld. Counsel for the petitioner that earlier no regular or anticipatory bail either before Ld. Court of Sessions or before Hon’ble High Court has been filed, nor any bail application is pending before any Court and the petitioner has **no** criminal antecedent. The petitioner is substantial person of locality and permanent residing at Banbira Samastipur and no chance of his absconding. Only the owner is responsible for the seized white ganga sand. Petitioner is ready to furnish bail bond with sound sureties & obey each and every conditions imposed by Court, if bail is granted.
  
5. Learned A.P.P. appearing on behalf of State opposed the prayer for regular bail of accused petitioners.

***Cont'd.../-***

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**07/03/2026 (Cont'd/-.....)**

6. Case Diary(CD) & TCR have been received. Heard, rival contentions of both the parties and perused the record. From perusal of record, it transpires that petitioner is the driver of the seized vehicle. There is allegation against petitioner that he was carrying sand without permit. Petitioner is only driver of the seized vehicle & he was working under instruction of his owner. IO of this case has also mentioned in the case diary that **petitioner is only driver of the seized vehicle**. As per para-27 of CD, petitioner has no criminal antecedent. Petitioner is under judicial custody **since, 27/01/2026**.

7. Considering the aforesaid facts & circumstances, **clean antecedent, period of custody & undergone** prayer of regular bail of on behalf of above named accused petitioner, **is hereby allowed**. Accordingly, the petitioner is directed to be released on bail, on furnishing bail bond of **Rs. 10,000/- (Ten thousand) each with two sureties** of the like amount each to the satisfaction of the Ld. Trial Court, subject to conditions **that (a) One of the Bailor shall be family member/close relative & (b) He will co-operate in the investigation of this case**. Let the copy of this order be sent to the concerned Trial Court.

*Dictated & Corrected*

**(Shailendra Kumar Singh)  
Addl. Sessions Judge-IV,  
Barh (Patna)**

Memo No.                      Dated                      March, 2026

Copy forwarded to: The Court of **Ld. ACJM-III, Barh** : For needful.

**(Shailendra Kumar Singh)  
Addl. Sessions Judge-IV,  
Barh (Patna)**