

THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE, PURNEA
Anticipatory Bail Petition No. 839/2026 (CIS No. 839/2026)
(Arising out of Baisi P.S. Case No. 173/2026)

IN THE MATTER OF:-

1. Jamsid, aged about 44 years, S/o Late Yarul Haque of Village- Pahadiya, P.S. Baisi, District Purnea.
2. Md. Istekhar @ Iftekhar, aged about 49 years, S/o Kasim, resident of Village- Pahadiya, P.S. Baisi, District Purnea ... Petitioners.

Versus

State of Bihar Opposite Party.

Date of order or proceeding	Order with signature of the court	Office action taken with date
02.06.2026	1. This anticipatory bail application filed on 21.05.2026, on behalf of the petitioners, namely, (1) Jamsid and (2) Md. Istekhar @ Iftekhar, who are apprehending their arrest in connection with Baisi P.S. Case no. 173/2026 registered for the offence u/s. 303(2) of B.N.S. & 21 M.N. (D&R) Act 1957 & 56 Bihar Minerals (CPINTS) Rule 24 is put up for hearing. 2. Heard Sri P.S.Parag, learned counsel for the petitioners as well as Sri Uday Keshri, learned P.P. I/c appearing for the State. 3. The prosecution case is based on written report of the informant Prakhar Pragya, Mining Inspector, District Mining Office, Purnea in brief, is that on 03.05.2026 at 7:00 hours, a raid was conducted against illegal mining and transportation and in this context, 1. Tractor Swaraj 735xT Engine no-391355/SWE 04874 CHASSIS no. wzle 28428126149 and its driver Md. Istekhar, 2. Swaraj Engine no-EZ4002/SKA03572 CHACIS NO MBNBU53NBTHA32749 and its driver Md. Sajid Raza and 3. JCB CN4 CONS EQUIPMENT were caught by the informant for illegal mining and transportation of sand.	

Contd. 02.06.2026	4. The learned counsel for the petitioners has submitted that the petitioner no. 1 is the owner of the Tractor Swaraj 735xT Engine no-391355/SWE 04874 CHASSIS no. wzle 28428126149 and petitioner no. 2 is the driver of aforesaid tractor. He has further submitted that the petitioner no. 1 being owner of said tractor is ready to deposit the fine to the department concerned as per provision. So, prayed for anticipatory bail. On the other hand, learned P.P. has opposed the prayer of bail of the petitioners. 5. I have heard the rival submission of both parties and perused the case record. This case is related to illegal Mining and Transportation Act in which tractor of petitioner no. 1 was found to be used in illegal transportation of sand due to which it caused loss of Government revenue of Rs. 1,07,965/- (Rupees one lac seven thousand nine hundred and sixty-five), which is recoverable from the vehicle owner. It appears that the petitioner is the owner of aforesaid tractor which was seized by the informant when it was being used for an illegal transportation of sand. It has been submitted on behalf of learned defence counsel that the petitioner no. 1 being the owner of aforesaid tractor is ready to deposit the fine amount i.e. Rs. 1,07,965/- (Rupees one lac seven thousand nine hundred and sixty-five) only imposed by the Mining Development Officer, District Mining Office, Purnea. Petitioner no. 2 is the driver of the tractor of petitioner no. 1. 6. Under the facts and circumstances as discussed above, the prayer for anticipatory bail of the petitioners, namely, Jamsid and Md. Istekhar @ Iftekhar is allowed. They, in the event of surrender within a fortnight from the date of	
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Contd. 02.06.2026	receipt of this order before the Court below or arrest, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, subject to the conditions as laid down u/s. 482 BNSS and subject to condition that the petitioner no. 1 being owner of the tractor will deposit the fine amount of Rs. 1,07,965/- (Rupees one lac seven thousand nine hundred and sixty-five) to District Mining Office, Purnea and submit a copy of the money receipt at the time of furnishing of bail bonds. Let a copy of this order be sent to District Mining Officer, Purnea for information and needful. (Dictated & corrected by me) sd/- (Kanhaiya Jee Choudhary) Pr. District & Sessions Judge, Purnea.	
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Date of Judgment/Order -	02.06.2026
Date of Reserving Judgment/Order -	02.06.2026
Uploading Date -	06.06.2026
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