

THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE, PURNEA
Anticipatory Bail Petition No. 816/2026 (CIS No. 816/2026)
(Arising out of Dagarua P.S. Case No. 167/2026)

IN THE MATTER OF:-

1. Mohammad Shahjahan, age 30 years, S/o Mohammad Jawed,
resident of Ekahuwa Ward No. 10, P.S. Dagarua, District Purnea
 2. Mohammad Muzaffar Hussain, age 39 years, S/o Ansar Ali,
resident of Dakaili, Ward No. 8, P.S. Dagarua, District Purnea ... Petitioners.
- Vs.

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 19.05.2026, on behalf of the petitioners, namely, (1) Mohammad Shahjahan and (2) Mohammad Muzaffar Hussain, who are apprehending their arrest in connection with Dagarua P.S. Case No. 167/2026 registered for the offence u/s. 4(1) MM(D &R) Act 1957, 11/18 Bihar Minerals (CPIMTRS) Rule 2019, 56 Bihar Minerals Revised 2024 and 132, 303(2), 121(1), 317(2) BNS is put up for hearing. 2. Heard Md. Andlib Monu, learned counsel for the petitioner as well as Sri Uday Keshri, learned P.P. I/c appearing for the State. 3. The prosecution case, in brief, is that based on secret information, on 08.06.2026, at 12:10 hours, the informant, Prakhar Pragya, Mining Offier, Purnea conducted a raid against illegal mining at Bishanpur near NH 31. Meanwhile, tractor bearing registration No. BR11 GB 9894 loaded with 150 cft yellow sand was caught by him. The driver of said tractor was unable to produce any valid document regarding the sand loaded on the tractor. Thereafter, the informant seized the tractor looaded with sand and took it towards Barsoni Toll Plaza. When he crossed Barsoni Toll Plaza then three to four persons tried to stopped the tractor and protested regarding the seized tractor.	

Contd. 02.06.2026	Local persons identified one of them as Muzaffar Mukhiya. 4. The learned counsel for the petitioner has submitted that the petitioner no. 1 is the owner cum driver of tractor bearing registration No. BR11 GB 9894. Petitioner no. 2 is a social worker and has good reputation in the locality. He has further submitted that the petitioner no. 1 being registered owner of the tractor is ready to deposit reasonable fine amount that will be imposed upon him by the department concerned. The petitioners have clean antecedent. So, prayed for anticipatory bail. On the other hand, learned P.P. has opposed the prayer for bail. 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 the petitioner no. 1 bearing registration no. BR11 GB 9894 was caught by the informant loaded with 150 cft of yellow sand, due to which it caused loss of Government revenue of Rs. 1,18,585/- (Rupees one lac eighteen thousand five hundred and eighty-five), which is recoverable from the vehicle owner. It appears that the petitioner no. 1 Mohammad Shahjahan is the owner-cum-driver of aforesaid tractor which was seized by the informant when it was used for an illegal transportation of sand. There is no specific allegation of assault against petitioner no. 2, Mohammad Muzaffar Hussain. 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 aforesaid fine amount i.e. Rs. 1,18,585/- (Rupees one lac eighteen thousand five hundred and eighty-five) imposed by the Mining Development Officer, District Mining Office, Purnea. 6. Under the facts and circumstances as discussed above, the prayer for anticipatory bail of the petitioners, namely, Mohammad Shahjahan and Mohammad Muzaffar Hussain is allowed. They, in the event of surrender within a fortnight from the date of receipt of this order before the Court below or arrest,	
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Contd. 02.06.2026	shall be released on bail on furnishing bail bond 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 petitioners will deposit the fine amount of Rs. 1,18,585/- (Rupees one lac eighteen thousand five hundred and eighty-five) to the District Mining Office, Purnea and submit a copy of the money receipt at the time of furnishing bail bond. Let a copy of this order be sent to the 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
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