

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3016 of 2020

1. Muneshwar Ganjhu					
2. Sukhdeo Ganjhu	Petitioners	
Versus					
The State of Jharkhand	Opposite Party	

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Lalan Kr. Singh Advocate
For the State	:	Mr. Suraj Verma, A.P.P

Order No.02 Dated- 09.09.2020

Heard the parties through video conferencing.

Apprehending their arrest in connection with Barkagaon P.S. Case No.65 of 2020 instituted under Sections 413/414/34 of the Indian Penal Code, Section 33 of the Indian Forest Act and Section 30 (ii) of the Coal Mines (Nationalization) Act, 1973, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Mr. Lalan Kr. Singh- learned counsel for the petitioners undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners mined soft coal illegally weighing 10 tons at Chelgandag forest near Badki river which was seized by the police. It is submitted that the allegation against the petitioners is false. Learned counsel for the next submits that he has sent the copy of the supplementary affidavit through WhatsApp to the Court Master of this court today and in para-2 of the same it has been mentioned that the petitioners have no criminal antecedent and the undertakes to file the same in the court during the course of the day. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to furnish

sufficient security including cash security. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned S.D.J.M., Hazaribagh within four weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on depositing **Rs.20,000/-(Rupees twenty thousand) each as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Hazaribagh in connection with Barkagaon P.S. Case No.65 of 2020 **with the condition that they will cooperate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)