

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 3030 of 2020

Basant Kumar Behra	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Arun Kumar, Adv.
For the State	: Mr. Suraj Verma, Spl. P.P.

02/09.09.2020

Heard the parties through Video Conferencing.

Mr. Arun Kumar, learned counsel for the petitioner personally undertakes to remove the defect pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner, the defects pointed out by the Stamp Reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Manjhari (Tantnagar) P.S. case no. 29 of 2019 registered under Sections 414 of the Indian Penal Code, Rule 4/12/48/54 of JMMC Rules, Rule 7 /13 of the Jharkhand Minerals (Prevention of illegal Mining transportation and Storage) rule, 2017 and section 21 of MMDR Act.

The learned counsel appearing for the petitioner submits that the petitioner is the owner-cum-driver of a tractor and the allegations against the petitioner that his vehicle was seized by police for transporting illegally excavated sand are all false. It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, as mentioned in paragraph 15 of the anticipatory bail application. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and is also ready and willing to

furnish sufficient security including cash security, hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of four weeks from the date of this order, the petitioner shall be released on bail on furnishing cash security of Rs. 5,000/- and furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sadar at Chaibasa in connection with Manjhari (Tantnagar) P.S. case no. 29 of 2019 subject to the condition that the petitioner will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-