

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A. B. A. No.3192 of 2020**

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Upendra Bhagat	...	...	Petitioner
	Versus		
The State of Jharkhand	...	...	Opp. Party

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**CORAM : HON'BLE MR. JUSTICE DEEPAK ROSHAN**

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For the Petitioner	:	Mr. Ram Subhag Singh, Advocate
For the State	:	Mr. Suraj Verma, A.P.P.

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**02/09.09.2020** Heard learned counsel appearing for the petitioner and learned counsel for the State through V.C.

**2.** Learned counsel for the petitioner undertakes to remove the defects as pointed out by the registry within a period of four weeks from today.

**3.** The petitioner is apprehending his arrest in connection with Hariharganj P.S. Case No.47 of 2020, registered for the offences punishable under Sections 414, 34, 188 of the IPC and Section 21(4) of the Mines and Minerals (Development and Trade) Act, 1957, Section 54 of Jharkhand Mines Minerals Rules, 2004 and Section 9(i)/13 of the Jharkhand Minerals (Prevention of Mining Transportation and Storage) Rules 2017.

**4.** Learned counsel for the petitioner submits that the petitioner has committed no offence as alleged in the F.I.R and has falsely been implicated in this case. He further submits that all the Sections are bailable except Sections 414/34, 188 of the IPC, which is non-bailable. He further submits that the said stone chips was loaded genuinely from the crusher but unfortunately at the time of seizure of the vehicle the challan was misplaced and could not be produced. Lastly, he submits that the petitioner do not have any criminal antecedent as such, privilege of anticipatory bail be granted to the petitioner.

**5.** Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

**6.** Taking into consideration the overall facts and circumstances of the instant case, I am inclined to enlarge the petitioner on bail. The above named petitioner is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, the court below shall release him on bail on his furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Palamau in connection with Hariharganj P.S. Case No.47 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Deepak Roshan, J.)**

Fahim/-