

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2365 of 2020

1. Ranjan Yadav

2. Umesh Kumar Yadav Petitioners

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

Through Video Conferencing

For the Petitioners : Mr. Baleshwar Yadav, Advocate

For the State : Mr. Suraj Verma, A.P.P.

Order No. 02

Dated 24th June 2020

Heard the learned counsel for the respective sides.

The petitioners apprehend their arrest in connection with Basia P.S. Case No. 14 of 2020.

A Hywa truck illegally loaded with sand was seized. The petitioner No. 1 appears to be the owner of Hywa truck bearing registration No. JH01BZ-2232 while the petitioner No. 2 is the driver of the said vehicle.

Mr. Baleshwar Yadav, learned counsel for the petitioners at the outset submits that the petitioner No. 1 had entrusted the vehicle to the driver and was never aware that the driver would be involved in an offence of transporting sand without any valid documents.

Learned APP has opposed the prayer for anticipatory bail made by the petitioners.

In view of the fact that the petitioner No. 2 being the driver of the vehicle and was involved in transportation of sand without any valid documents, I am not inclined to extend the privilege of anticipatory bail to the petitioner No. 2. Accordingly, the prayer for anticipatory bail made by the petitioner No. 2 is rejected.

However, so far as the petitioner No. 1 is concerned, in view of the submission advanced by the learned counsel for the petitioners and the fact that the vehicle was entrusted to the petitioner No. 2, the petitioner No. 1 is directed to surrender in the court below within four weeks from today and on such surrender, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned

Chief Judicial Magistrate, Gumla in connection with Basia P.S. Case No. 14 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(RONGON MUKHOPADHYAY,J.)

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