

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6431 of 2021

1. Vikash Kumar Mehta @ Vikram Kumar Mehta
2. Tulsi Mehta @ Tulsi Kumar Petitioners
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Om Prakash Singh, Advocate
For the State : Mr. Prabir Kr. Chatterjee, Spl.P.P

Order No.02 Dated- 08.09.2021

Heard the parties through video conferencing.

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.

Apprehending their arrest in connection with Ichak P.S. Case No.108 of 2015 corresponding to G.R. No.3189 of 2015 instituted under Section 379 of the Indian Penal Code, Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Rule 54 of the Jharkhand Minor Mineral Concession Rules, 2004, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were involved in illegal mining and storage of stones and running of illegal crushers. It is submitted that the allegation against the petitioners is false. It is next submitted that no incriminating article has been recovered from the conscious possession of the petitioners. It is lastly submitted that the petitioners are ready and willing to cooperate 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 Spl.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., Hazaribag within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on petitioner No.1 depositing Rs.10,000/- as cash security and petitioner No.2 depositing Rs.20,000/- as cash security and both of them 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., Hazaribag in connection with Ichak P.S. Case No.108 of 2015 corresponding to G.R. No.3189 of 2015 **with the condition that they will co-operate 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.)

Animesh/