

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6095 of 2021

Tinku Mian @ Riyaz Ansari Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Ms. Shamma Parveen, Advocate
For the State : Mr. Prabir Kr. Chatterjee, Spl.P.P

Order No.02 Dated- 03.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner 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 petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Giridih (M) P.S. Case No.309 of 2020 instituted under Sections 379/411 of the Indian Penal Code and Section 30 of the Coal Mines (Nationalization) Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner was involved in illegal extraction of coal for sale. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards para-11 of the instant bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. It is also submitted that the co-accused, with similar allegations, have already been given the privileges of anticipatory bail by this Court vide order dated 16.08.2021 passed in A.B.A. No.5417 of 2021. It is lastly submitted that the petitioner is 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 petitioner be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail

to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned S.D.J.M., Giridih within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on **depositing Rs.5,000/-(Rupees five thousand) as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Giridih in connection with Giridih (M) P.S. Case No.309 of 2020 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case** and further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Pappu/