

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6170 of 2021

1. Raju Das	
2. Mantu Yadav	
3. Ranjeet Yadav @ Ranjeet Kumar Yadav	
4. Rojan Miyan @ Benga Miyan	... Petitioners
Versus	
The State of Jharkhand	... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	: Mr. Prashant Kr. Rai, Advocate
For the State	: Mr. P.K. Chatterjee, Spl. P.P.

Order No.02 Dated- 06.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of 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 Giridih (M) P.S. Case No. 101 of 2020 instituted under Sections 379, 413, 34 of the Indian Penal Code, Section 30 of Coal Mines (Nationalization) Act and Section 21/23 of MMDR Act, 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 of coal from the prohibited area of CCL by making ditch in the said area. It is submitted that the allegation against the petitioners is false. Drawing attention of this Court towards para-17 of the instant anticipatory bail application, learned counsel for the petitioners submits that the petitioners have no criminal antecedent. It is then submitted that the petitioners are ready and willing to cooperate with the investigation of the case and to furnish sufficient security

including cash security. It is lastly submitted that the co-accused person has already been given the privilege of anticipatory bail by this Court vide order dated 19.08.2021 in A.B.A. No.5492 of 2021. 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 within eight weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on depositing Rs.10,000/- (Rupees ten thousand) each as cash security and 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 SDJM, Giridih in connection with Giridih (M) P.S. Case No. 101 of 2020 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.)

Sonu/Gunjan-