

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6227 of 2021

Mahibur Seikh ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Md. Asadul Haque ,Adv.
For the State : Mr. Prabir Kr. Chatterjee ,Addl. P.P.

02 / 06.09.2021

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Kotalpokhar P.S. Case No. 41 of 2018 registered under Sections 379 of the Indian Penal Code, Section 54/55 of JMMC Rules, 2004.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner is the owner of a *Hywa* truck which was seized by police while transporting the illegally excavated stone boulders/ chips. It is then submitted that the allegations against the petitioner are all false. It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, as mentioned in paragraph 7 of the anticipatory bail application. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and also undertakes to furnish sufficient security including cash security hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioner shall be released on bail on furnishing cash security of Rs. 10,000/- and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Rajmahal in connection with Kotalpokhar P.S. Case No. 41 of 2018 subject to the condition that the petitioner will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-