

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6260 of 2021

Naresh Sahu ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rahul Pandey ,Adv.
For the State : Mr. Prabir Kr. Chatterjee ,Spl. P.P.

02 / 07.09.2021

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 Pithoria P.S. Case No. 59 of 2021 registered under Sections 414, 420, 120B of the Indian Penal Code, Section 33/ 52 of Indian Forest Act and Section 30 of Coal Mines (Nationalisation) Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner being the owner of brick kiln, is involved in illegal mining and lifting of illegally excavated coal from reserve forest area. It is then submitted that the allegations against the petitioner are all false and those allegations are general and omnibus in nature. It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, as mentioned in paragraph 8 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 the cash security, hence, the petitioner be given the privilege of anticipatory bail.

The learned Spl. 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 JMFC, Ranchi in connection with Pithoria P.S. Case No. 59 of 2021 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/-