

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6355 of 2021

1. Hiralal Mahto			
2. Upendra Mahto	...		Petitioners
Versus			
The State of Jharkhand	...		Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	: Mr. Pradeep Kumar, Advocate
For the State	: Mr. P.D. Agrawal, Spl. P.P.

Order No.02 Dated- 08.09.2021

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, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Charhi P.S. Case No.23 of 2021 registered under sections 414/34 of the Indian Penal Code, Section 30 of Coal Mines (Nationalization) Act and under Section 33 of Indian Forest Act.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were involved in illegal extraction and transportation of stolen coal after taking it from Dasokhap forest. It is further submitted that the allegations against the petitioners are all false. It is then submitted that the petitioners are ready and willing to furnish sufficient security including cash security and undertake to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on petitioner no.1 depositing cash security of Rs.20,000/- and the petitioner no.2 depositing cash security of Rs.10,000/- and on furnishing bail bond of Rs. 25,000/- (Rupees 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 Charhi P.S. Case No.23 of 2021 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-