

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6356 of 2021

1. Malabika Saha		
2. Tapan Kumar Adhikary		
3. Shyamal Kumar Saha	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. P.K. Mukhopadhyay, Advocate
For the State	:	Mr. P.K. Chatterjee, 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 Mandu (Kuju) P.S. Case No.61 of 2021 registered under sections 420/467/468/469/471/34 of the Indian Penal Code and under Section 30 of Coal Mines (Nationalization) Act.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were the owners of the trucks which were hired by the co-accused persons for transportation of coal by the co-accused persons and the drivers of the said trucks produced some forged documents for transportation of coal. It is further submitted that the allegations against the petitioners are all false and they have no knowledge about their vehicles being involved in any illegal activity and also they were not present at the place of occurrence. It is next submitted that the petitioners have no criminal antecedent as has been mentioned in paragraph no. 12 of the anticipatory bail

application. 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 petitioners 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 depositing cash security of Rs.20,000/- each 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 A.C.J.M., Ramgarh, in connection with Mandu (Kuju) P.S. Case No.61 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-