

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6390 of 2021

Nasim Shekh Petitioner
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. R.R. Shekhar Singh, 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 petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Ranga P.S. Case No. 262 of 2019 corresponding to G.R. No. 2640 of 2019 instituted under Sections 175, 379 of the Indian Penal Code, Section 21(A), 21(6) of Mines and Minerals (Development and Regulation Act), 1957 and Section 4/54 of JMMC Rule, 2004, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner being the owner of the truck bearing Registration No.WB-65C-8588 was involved in transportation of stone chips illegally. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner was not having any knowledge about his truck being involved in any illegal activity as the same was in the control of the driver of the said vehicle. Drawing attention of this Court towards para-11 of the instant anticipatory bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and

circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing **Rs.10,000/-(Rupees ten thousand) as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Rajmahal in connection with Ranga P.S. Case No. 262 of 2019 corresponding to G.R. No. 2640 of 2019 **with the condition that he will cooperate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his 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.)

Pappu/