

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2612 of 2020

Kishor Yadav ...Petitioner

-V e r s u s-

The State of Jharkhand ... Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Suraj Singh, Advocate

For the State :- Ms. Snehlika Bhagat, A.P.P.

02/24.07.2020

The present case is taken up through video conferencing.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with Madhuban P.S. Case No. 18 of 2020 registered under Sections 414/34 of the Indian Penal Code and under Section 30 (ii) of Coal Mines Act pending in the court of Judicial Magistrate-1st Class, Dhanbad, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner is the owner-cum-driver of the pick-up van having registration no. JH 02AZ-6570 from which 4-5 MT illegal raw coal was allegedly recovered. In fact, the said vehicle was forcibly taken away by one Mansu Rawani and Hemant Rawani who committed the alleged offence and the petitioner has no concern with the same. Hence, the petitioner may be given the privilege of anticipatory bail.

Learned A.P.P. while opposing the petitioner's prayer for anticipatory bail submits that the stand of the petitioner that Mansu Rawani and Hemant Rawani forcibly took away his vehicle, has no proof. In fact, the petitioner has himself admitted that he is the owner-cum-driver of the said vehicle. Hence, he may not be given the privilege of anticipatory bail.

Considering the aforesaid facts and circumstance, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his anticipatory bail application is hereby rejected.

(Rajesh Shankar, J.)