

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A. B. A. No. 2971 of 2020

Lal Ranjan Nath Shahdeo

..... Petitioner

Versus

The State of Jharkhand

..... Opposite Party

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner:

Mr. J. S. Singh

For the State:

Mr. P. D. Agrawal, A.P.P

02/21.07.2020 Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with the case registered under Sections 379/353/34 IPC, Section 21 of the Mines and Minerals (Development & Regulation) Act, 1957, Rules 4/54 of the Jharkhand Minor Mineral Concession Rules, 2004 and Rule 13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017 has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and has not committed any offence as alleged in the F.I.R. Even if the written report of the informant is taken to be true, the allegation against the petitioner is that after seeing the raiding party, he asked the tractor drivers to flee away from the place where the illegally excavated sand was being loaded. It is further submitted that the petitioner is neither the owner of the JCB machine nor the tractors with trailers and has no concern with the illegally excavated sand. No offence is made out under Section 353 IPC as neither any criminal force nor any assault was made against the Government officials. Hence, the petitioner may be given the privilege of anticipatory bail.

Learned A.P.P opposes the petitioner's prayer for anticipatory bail.

Considering the aforesaid facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the above named petitioner is directed to surrender before the concerned Court below by 06.08.2020. If he surrenders before the Court below by the said date, he shall be released on bail on furnishing bail-bond of Rs.20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the Chief

Judicial Magistrate, Latehar in connection with Latehar P.S. Case No. 126/2020, with the conditions that the petitioner will co-operate in the investigation of the case and will appear before the Investigating Officer as and when noticed by him. The petitioner will also furnish his mobile number and photocopy of Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and subject to further conditions as laid down under Section 438(2) Cr.P.C.

Satish/-

(RAJESH SHANKAR, J)