

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2110 of 2020

Antu Kumar Ambastha @ Anant Kumar Ambastha ...Petitioner

-V e r s u s-

The State of Jharkhand

... Opp. Party

**CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner :- Mr. D.K.Chakraverty, Advocate

For the State :- Mr. Rajesh Kumar, A.P.P.

03/21.07.2020

The present case is taken up through video conferencing.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with Pindrajora P.S. Case No. 11 of 2020 registered under Sections 414/34 of the Indian Penal Code and Section 21 of Mines and Minerals (Development and Regulation) Act, 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 has been arrayed in the present case on the basis of alleged disclosure made by co-accused Vijay Mahato (the driver of the pick-up van from which 2 tons of illegal coal was recovered). It has been alleged that the petitioner is the owner of said vehicle and the illegal coal was being carried at his instance, however there is no evidence with regard to said allegation that the petitioner is the owner of the said pick-up van or the said coal was being carried at his instance. The specific statement to that effect has been made in paragraph-10 of the present anticipatory bail application. 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 as per the disclosure made by the driver of the seized vehicle, the petitioner is the owner of the said vehicle by which 2 tons of illegal coal was being transported.

Considering the aforesaid facts and circumstance, I am inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the petitioner, above named, is directed to surrender before the concerned court below on or before 06.08.2020.

In the event of his arrest/surrender before the concerned 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 S.D.J.M., Bokaro in connection with Pindrajora P.S. Case No. 11 of 2020 with the condition 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) of Cr.P.C.

**(Rajesh Shankar, J.)**

Ritesh/