

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2316 of 2020

Vinod Yadav @ Biru ...Petitioner

-V e r s u s-

The State of Jharkhand ... Opp. Party

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

For the Petitioner :- Mr. Jitendra Shankar Singh, Advocate

For the State :- Md. Hatim, A.P.P.

03/21.07.2020

The present case is taken up through video conferencing.

Considering the present situation prevailing due to outbreak of COVID-19 (Coronavirus) pandemic, let the required court fee be filed by the learned counsel for the petitioner in the registry of this Court as soon as the situation normalizes.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with Domchanch P.S. Case No. 09 of 2020 registered under Sections 147, 148, 149, 307, 353, 427, 504, 506 of the Indian Penal Code, Rule 13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, Rule 54 of Jharkhand Minor Mineral (Concession) Rules, 2004 and Section 3 of the Prevention of Damage to Public Property Act, 1984, 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 neither the driver nor the owner of the seized truck. Moreover he is also not connected with any illegal mining or transportation of stone chips. It has also not been specified as to who disclosed the name of the petitioner being among the persons who pelted stones on the government officials and prevented them from discharging their official duties. In fact, the petitioner has been arrayed in this case without any iota of evidence against him. Hence, he 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 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 Sub-Divisional Judicial Magistrate, Koderma in connection with Domchanch P.S. Case No. 09 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.)**