

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1538 of 2021

1. Sanjay Yadav		
2. Sukhdev Yadav		
3. Surendra Yadav		
4. Mahendra Prasad Yadav	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Ravi Kumar, Advocate
For the State	:	Mr. P. Chatterjee, Addl. P.P.

Order No.02 Dated- 13.04.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

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

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Shikaripara P.S. Case No.31 of 2018 registered under sections 414 of the Indian Penal Code, Section 4/54 of Jharkhand Minor Mineral Concession Rules, 2004 and under Rule 3 of Jharkhand Khanij Bikreta Niyamawali.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners are the owners of the trucks which were seized by police while transporting illegally excavated stone chips. It is further submitted that the allegations against the petitioners are all false. It is next submitted that the petitioners have no criminal antecedent as has been mentioned in paragraph no. 13 of the anticipatory bail application. It is then submitted that the petitioners are ready and willing to furnish sufficient security including cash security and undertake to cooperate with the investigation of the case. It is

lastly submitted that the co-accused person has already been given the privilege of anticipatory bail by this Court vide order dated 16.03.2021 in A.B.A. No.745 of 2021. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on depositing cash security of Rs.10,000/- each and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dumka, in connection with Shikaripara P.S. Case No.31 of 2018 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-