

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1544 of 2021

1. Ajit Kumar Mahto				
2. Jhantu Dhibar				
3. Nirmal Dhibar	Petitioners
	Versus			
The State of Jharkhand	Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : None
For the State : None

Order No.02 Dated- 19.04.2021

The matter is taken up through video conferencing.

No one turns up on behalf of either of the parties.

The petitioners are directed to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

Apprehending their arrest in connection with Dhalbhumgarh P.S. Case No. 08 of 2020 instituted under Sections 414/34 of the Indian Penal Code and Section 54 of Jharkhand Minor Minerals Concession Rule, 2004 and under Section 4/21 of Mines and Minerals (Development and Regulation) Act, 1957, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Perusal of the record reveals that the allegation against the petitioners is that the petitioner no.1 is the owner of the seized tractor and petitioner nos.2 and 3 are the driver of the said tractors which were illegally involved in transportation of sand. It has been averred in the anticipatory bail application that the allegation against the petitioners is false. Drawing attention of this Court towards para-10 of the instant anticipatory bail application, it has been mentioned that the petitioners have no criminal antecedent. Perusal of the record reveals that it has been averred in the anticipatory bail application that the petitioners are ready and willing to abide by any terms and conditions imposed upon them and they will co-operate with the investigation of the case and will furnish sufficient security including cash security. Hence, the petitioners be given the privileges of anticipatory bail.

Considering the aforesaid facts of this case, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned S.D.J.M., Ghatsila within six weeks

from today and in the event of his arrest or surrendering, they will be enlarged on bail on depositing **Rs.5,000/-(Rupees five thousand) each as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Ghatsila in connection with Dhalbhumgarh P.S. Case No. 08 of 2020 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile numbers and photocopy of the Aadhar Card with an undertaking that they will not change his mobile numbers during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Pappu/