

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2414 of 2021

1. Arjun Saw		
2. Om Prakash Gupta	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. A.K. Kashyap, Sr. Advocate
For the State	:	Mr. P. Chatterjee, Addl. P.P.

Order No.02 Dated- 17.04.2021

Heard the parties through video conferencing.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Meral P.S. Case No.04 of 2021 registered under sections 379/411 of the Indian Penal Code, Section 54 (1) of J.M.M.C.A. Rules, 2017 and under Section 21 of MMDR Act.

The Learned Senior Advocate appearing for the petitioners submits that the allegation against the petitioners is that the petitioner no.1 is the owner and petitioner no.2 is the driver of the tractor which was seized by police while transporting illegally excavated sand. 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. 14 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. 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.5000/- 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., Garhwa, in connection with Meral P.S. Case No.04 of 2021 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.)

Gunjan-