

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No.2901 of 2021

Anil Ray @ Ashutosh Ray Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Swami N. Pd. Rai., Advocate
For the State : Mr. P. K. Chatterjee, Addl.P.P

Order No.02 Dated- 12.04.2021

Heard the parties through video conferencing.

Apprehending his arrest in connection with Pathargama P.S. Case No.94 of 2019 instituted under Sections 147, 148, 341, 323, 353 of the Indian Penal Code, Section 4/54 of Jharkhand Minor Mineral Concessions Rule, 2004 and Section 9/13 of Jharkhand Mineral (Prevention of Illegal Mining Transportation and storage) Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner and co-accused persons have snatched away three tractors which were seized by the police for illegal transportation and excavation of sand. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards para-09 of the instant bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. It is also submitted that the petitioner undertakes to hand over the three tractors to the Investigating Officer of the case. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned J.M.- 1st Class, Godda within six weeks from today and in the

event of his arrest or surrendering, he will be enlarged on bail on showing proof of surrendering three tractors to the Investigating Officer of the case and depositing **Rs.10,000/-(Rupees ten thousand) as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M.- 1st Class, Godda in connection with Pathargama P.S. Case No.94 of 2019 **with the condition that he will cooperate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number 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.)

Animesh/