

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No.1689 of 2021

1. Dinesh Mehta @ Dinesh Kumar Mehta
2. Bipin Kumar Singh @ Bipin Singh
3. Saroj Kumar Mehta @ Saroj Prasad Mehta
..... Petitioners
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Manish Kr., Advocate
For the State : Mr. P. K. Chatterjee, Addl.P.P

Order No.02 Dated- 05.04.2021

Heard the parties through video conferencing.

Apprehending their arrest in connection with Muffasil P.S. Case No.267 of 2020 instituted under Section 57 of Jharkhand Minor Minerals Concession Rules, Section 21 of Mines & Minerals (Development & Regulation) Act and Section 13 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2017, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were illegally storing boulders and stone chips causing loss to the Government Exchequer and even J.C.B. Machines used for the storage of the same which was also seized from the spot and storage work was being done in the land/crusher of the petitioners. It is submitted that the allegation against the petitioners is false. It is next submitted that the petitioners have no concern either with the seized items or the J.C.B. Machine. Drawing attention of this Court towards para-11 of the instant bail application, learned counsel for the petitioners submits that the petitioners have no criminal antecedent. It is lastly submitted that the petitioners are 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 petitioners be given the privileges of anticipatory bail.

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

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned C.J.M., Hazaribagh within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on depositing **Rs.10,000/-(Rupees ten 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 C.J.M., Hazaribagh in connection with Muffasil P.S. Case No.267 of 2020 **with the condition that they will cooperate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their 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.)