IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3378 of 2024

Brahamdev Yadav @ Brahamdev Kumar Yadav, S/o Jagdish Yadav, R/o Village-Makatpur, Gohal, PO & PS-Jainagar, District-Koderma
... … Petitioner

Versus

The State of Jharkhand ... … Opposite Party

With

A.B.A. No. 3448 of 2024

Rohit Yadav, S/o Jagdish Yadav @ Jagdish Mahto, R/o Village-Makatpur, Gohal, PO & PS-Jainagar, District-Koderma
... … Petitioner

Versus

The State of Jharkhand ... … Opposite Party

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners : Mrs. Nirupama, Advocate
For the State : Mr. Bishambhar Shastri, A.P.P.

07/11.12.2024 The petitioners apprehending their arrest for the offences punishable under Sections 41/42 of the Indian Forest Act, 1927, have prayed for grant of anticipatory bail.

2. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and have not committed any offence as alleged in the offence report. There is alleged recovery of 75 sacks (4 tonnes) of coal loaded on pickup van without having registration number within Dumduma forest area. It has also been alleged that the petitioner – Rohit Yadav was driving the said vehicle, however, he succeeded in fleeing away. It is further submitted that the petitioners have been roped in the present case merely on suspicion. Though it has been claimed that the concerned forest official identified the petitioner – Rohit Yadav, who succeeded in fleeing away from the place of occurrence, however, it has not been specified as to how he came to know about the identity of the said petitioner without there

being any previous acquaintance. So far as the petitioner – Brahamdev Yadav @ Brahamdev Kumar Yadav is concerned, no reason has been assigned in the offence report regarding his implication. It is also submitted that the petitioners have neither any concern with the said vehicle nor with the coal found loaded on the same. The petitioners have no criminal antecedent as has been stated in paragraph no. 9 of the respective anticipatory bail applications. They, however, undertake to co-operate in the trial. Hence, they may be given the privilege of anticipatory bail.

3. Learned A.P.P opposes the petitioners' prayer for anticipatory bail.

4. Having heard learned counsel for the parties and considering the materials available on record, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners above named, in the event of their arrest/surrender within three weeks from today, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hazaribagh, in connection with G (F) Case No. 3143/2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rajesh Shankar, J.)

Manish