IN THE HIGH COURT OF JHARKHAND AT RANCHI

A. B. A. No. 6723 of 2024

Harihar Singh ….. Petitioner

Versus

The State of Jharkhand ….. Opposite Party

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. A. K. Verma

For the State: Mr. Pankaj Kumar, P.P

02/29.11.2024 Heard learned counsel for the parties.

2. The petitioner apprehending his arrest in connection with the case registered under Section 317(5) of Bharatiya Nagarik Suraksha Sanhita, 2023, Sections 4/21 of Mines and Minerals (Development & Regulation) Act, 1957, Rules 4/54 of Jharkhand Minor Mineral Concession Rules, 2004 and Rules 7/11/13 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2017 has prayed for grant of anticipatory bail.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and has not committed any offence as alleged in the F.I.R. The petitioner is the owner of the truck (Hywa) bearing registration no. OR16C-5574 from which there is alleged recovery of 600 cft. of illegal sand. The petitioner has no idea as to how the said vehicle was found loaded with the said sand. In fact, the said vehicle was under the control of the driver at the time of the alleged occurrence. Otherwise also, the seizure list prepared in this regard does not mention the quantity of seized sand. The petitioner has no criminal antecedent as has been stated in paragraph 12 of the present anticipatory bail application. He however undertakes to cooperate in the ongoing investigation. Hence, he may be given the privilege of anticipatory bail.

4. Learned P.P opposes the petitioner's prayer for anticipatory bail.

5. Considering the aforesaid facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the above

named petitioner is directed to surrender before the concerned Court below within a period of three weeks. If he surrenders before the Court below within the aforesaid period, he shall be released on bail on furnishing bail-bond of Rs.20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-IX, Ranchi in connection with Namkum P.S. Case No. 295/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Satish/- (RAJESH SHANKAR, J)