IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 7234 of 2024

Md. Ekram Khan @ Ekram Khan son of Sakur Khan, resident of Village- Khutia, P.O. & P.S.- Dhurki, District- Garhwa

… … Petitioner

Versus

The State of Jharkhand …. … Opposite Party

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Sabyasanchi, Advocate
For the State : Mr. Rajesh Kumar, A.P.P.

Order No. 05 **Dated: 06.12.2024**

The petitioner apprehending his arrest for the offences punishable under Sections 303(2)/317(2) of the Bharatiya Nyaya Sanhita, 2023, Section 21 of the Mines and Minerals (Development & Regulation) Act, 1957, rules 4/54 of the Jharkhand Minor Mineral Concession Rules, 2004 and rules 7/13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, has prayed for grant of anticipatory bail.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. There is alleged recovery of about 4000 cft. of illegal sand kept under "Mahua" tree near 'Khutia Chowk'. The petitioner has been implicated in this case merely on suspicion and hearsay statements of local people. The petitioner has no concern with the place from which the aforesaid sand was recovered. He, however, undertakes to cooperate in the ongoing investigation. Hence, he may be given the privilege of anticipatory bail.

3. Learned A.P.P. opposes the petitioner's 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 petitioner on anticipatory bail.

5. Accordingly, the petitioner, above named, in the event of his arrest or surrender before the court below within three weeks from today, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Nagar Untari at Garhwa in connection with Dhurki P.S. Case No. 101 of 2024, subject to the conditions as laid down under Section 482(2) of the 'Bharatiya Nagarik Suraksha Sanhita, 2023'.

Ritesh/ **(Rajesh Shankar, J.)**