**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

A.B.A. No. 7203 of 2024

1. Ravi Munda son of Harilal Munda
2. Rajesh Kumar Saw son of Mahadev Saw

Both are residents of Village- Gonda, P.O.- Raham, P.S.- Tandwa, District- Chatra … … Petitioners

Versus

The State of Jharkhand …. … Opposite Party

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioners : Mr. Rajesh Kumar Singh, Advocate
For the State : Mr. P.D. Agrawal, Spl.P.P.

**Order No. 07** **Dated: 16.12.2024**

The petitioners apprehending their 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 54 of the Minor Mineral Concessions Rules, 2004 and rule 13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, have prayed for grant of anticipatory bail.

**2.** Learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case and have not committed any offence as alleged in the F.I.R. The petitioner no. 1- Ravi Munda is the driver of tractor bearing registration no. JH-13G-9153 (engine no. E3587705) and the petitioner no. 2 – Rajesh Kumar Saw is the driver of 'Power Track' tractor (blue colour) bearing registration no. JH-02AS-6636. There is alleged recovery of about 100 cft. of illegal sand from each tractor. In fact, there has been no such recovery from the said tractors. The false implication of the petitioners would be evident from the fact that the seizure list prepared in this regard does not bear signature of any independent witness. The petitioners have no criminal antecedent as has been stated in paragraph-15 of the present anticipatory bail application.

They, however, undertake to cooperate in the ongoing investigation. Hence, they may be given the privilege of anticipatory bail.

**3.** Learned Spl.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.

**5.** Accordingly, the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Chatra in connection with Tandwa P.S. Case No. 213 of 2024, subject to the conditions as laid down under Section 482(2) of the 'Bharatiya Nagarik Suraksha Sanhita, 2023'.

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