IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.7722 of 2024

Raju Singh Munda, S/o Nityanandan Singh Munda, R/o village-Dhatkidih Porka, P.O.-Jhabri, P.S.-Chowka, District-Seraikela-Kharsawan, Jharkhand

..... Petitioner.

-Versus-

The State of Jharkhand ..... Opp. Party.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Ms. Nirupama, Advocate
For the State : Mr. P.K. Chatterjee, Spl. P.P.

Order No.03 **Date: 17.12.2024**

1. The petitioner is apprehending his arrest in connection with Tamar P.S. Case No.87 of 2024 for the offences punishable under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023, Sections 4(1)(a)/21 of Mines and Minerals (Development & Regulation) Act, 1957 and Rule 9 of 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. The petitioner is the driver of truck (Hywa) bearing registration no.JH-02AU-8762 from which there is alleged recovery of about 500 CFT of illegal sand. In fact, there has been no such recovery from the said truck, rather the seizure list has been manufactured by the concerned police official of Tamar P.S. to falsely implicate the petitioner in this case. The petitioner has no criminal antecedent as has been stated in paragraph no.7 of the present anticipatory bail application. He, however,

undertakes to co-operate 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 grant of 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. 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 Judicial Magistrate 1st Class, Ranchi in connection with Tamar P.S. Case No.87 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rajesh Shankar, J.)

Arpit/