IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.7417 of 2024

Manoj Kumar Gupta, S/o Jagdish Sahu @ Jagdish Sahu, resident of Tupudana Chowk, Hatiya, P.S. Tupudana, District Ranchi.

..... Petitioner.

-Versus-

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

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Suresh Prajapati, Advocate
For the State : Mr. P. K. Chatterjee, APP

Order No.03 **Date: 06.12.2024**

1. The petitioner is apprehending his arrest in a case registered under Sections 317(5) of Bharatiya Nyaya Sanhita, 2023; Sections 4 & 21 of the Mines and Minerals (Development & Regulation) Act, 1957; Rules 4 & 54 of the Jharkhand Minor Mineral Concession Rules, 2004; and Rules 7, 11 & 13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017.

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. The petitioner is owner of the truck (Hywa) bearing registration no.JH-01DL-4866 from which there is alleged recovery of 600 CFT illegal sand. In fact, there has been no such recovery from the said truck. False implication of the petitioner would be evident from the fact that the seizure list prepared in this regard does not bear signature of any independent witness. He, however, undertakes to co-operate in ongoing investigation of the case. 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, this Court is inclined to enlarge the petitioner, above named, on anticipatory bail. Accordingly, the petitioner, in 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, Ranchi, in connection with Namkum (Kharsidag O.P.) P.S. Case No.403 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Rajesh Shankar, J.)

Sanjay/