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

A. B. A. No. 7707 of 2024

1. Bimla Kumari
2. Jauroo Panna ….. Petitioners

Versus

The State of Jharkhand ….. Opposite Party

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**CORAM**

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

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For the Petitioners: Mr. Mohit Prakash
For the State: Mr. Rajneesh Vardhan, A.P.P

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03/17.12.2024 Heard learned counsel for the parties.

2. The petitioners apprehending their arrest in connection with the case registered under Sections 303(2)/317(5)/3(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 07/09 of Jharkhand Mineral Transport Rules, 2017 have prayed for grant of anticipatory bail.

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and have not committed any offence as alleged in the F.I.R. The petitioners are the owner and the driver respectively of the tractor bearing registration no. JH07L2636 from which there is alleged recovery of about 100 cft. of illegal sand. In fact, there has been no such recovery from the said vehicle. False implication of the petitioners would be evident from the fact that the seizure list prepared in that regard does not bear signature of any independent witness. The petitioners have no criminal antecedent as has been stated in paragraph 11 of the present anticipatory bail application. They also undertake to cooperate in the ongoing investigation. Hence, they may be given the privilege of anticipatory bail.

4. Learned A.P.P opposes the petitioners' prayer for anticipatory bail.

5. Considering the aforesaid facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the above named petitioners are directed to surrender before the concerned Court below within a period of three weeks. If they surrender before the Court below within the aforesaid period, they shall be released on bail on furnishing bail-bond of Rs.20,000/- (twenty thousand only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gumla in connection with Gumla P.S. Case No. 373/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Satish/- (RAJESH SHANKAR, J)