

IN THE HIGH COURT OF JHARKHAND, RANCHI

A.B.A. No. 291 of 2026

1. **Ekramul Sk.** aged about 27 years, son of Sk. Joynal, resident of Village Ahalehadishpur, PO and PS Khargram, Dist. Murshidabad, West Bengal

2. **Badsha Mirja @ Badshah Mirza**, aged about 38 years, son of Sahamod Mirza, resident of Village Asalpur, Ahalehadishpur, PO and PS Khargram, District Murshidabad, West Bengal

.... Petitioners

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners

:- Mr. Jai Shankar Tripathi, Advocate

For the State

:- Mr. Prabir Kr Chatterjee, Advocate

2/20.01.2026 Heard learned counsels for petitioners and for the State.

2. The petitioners are apprehending their arrest in connection with Shikaripara P.S. Case No.115 of 2025, for offence registered under sections 303(2), 3(5) of BNS, 2023 and sections 4/21 of Mines and Minerals (Development and Regulation) Act, 1957, Rules 4 and 54 of Jharkhand Minor Minerals Concessions

Rules, 2004 and Rules 9 and 13 of Jharkhand Mines and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, pending in court of learned A.C.J.M., Dumka.

3. Learned counsel for petitioners submits that the petitioners happened to be driver of different trucks and allegations are made of illegally carrying of the sand in question. He further submits that the sand in question was loaded by the petitioner from M/s Radhika Mining Company, Raghunathpur, in the district of Dumka on 16.10.2025 and it was on proper challan, however, due to server problem, the challan was not with the petitioner. He next submits that in course of the investigation it was found that the challan was issued and that has come in the order of the learned Sessions Judge. He also submits that the petitioners are not having any criminal antecedent as disclosed in paragraph no.15.

4. Learned State counsel opposes prayer and submits that the validity of the challan was already expired.

5. Considering that the petitioners are the drivers and the said sand was loaded from M/s Radhika Mining Company, Raghunathpur, in the district of Dumka and there is dispute with regard to validity of the challan and the petitioners have got no criminal antecedent as aforesaid, I am inclined to grant anticipatory bail to petitioners.

6. Accordingly, both petitioners, above named, are hereby

directed to surrender before learned court within four weeks from today, and in event of their surrender/arrest, both the petitioners, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, to satisfaction of learned A.C.J.M., Dumka, in connection with Shikaripara P.S. Case No.115 of 2025, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.

(Sanjay Kumar Dwivedi, J.)

20.01.2026

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