

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No.472 of 2026

Rajendra Prasad, aged about 32 years, Son of Dharm Chandi Mahto,
resident of Barkatha, P.O. & P.S.- Barwa, District - Hazaribag.

.... Petitioner

Versus

The State of Jharkhand

... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Agnivesh, Advocate
Mr. Niraj Kumar, Advocate
For the State : Mr. Bishambhar Shastri, APP

2/29.01.2026 Heard learned counsel appearing on behalf of Petitioner and
learned counsel appearing on behalf of the State.

2. The petitioner is apprehending his arrest in connection with
Mirzachouki P.S. Case No. 31 of 2025, registered for the offences
under section 303(2) and 317(2) of Bharatiya Nyaya Sanhita, 2023,
under sections 04 and 54 of J.J.M.C. Rule and under sections 07, 09
and 13 of Jharkhand Minerals (Prevention of Illegal Mining)
Transportation and Storage Rule, 2017, pending in the Court of
learned S.D.J.M. at Sahibganj.

3. Learned counsel appearing for the petitioner submits that the
petitioner happened to be the driver of the poclain machine and the
allegations are made that the said poclain machine was being utilized
in illegal mining. He also submits that the said poclain machine was
only parked and it was not illegally used. He also submits that the
petitioner has got no criminal antecedent as disclosed in Para 22 of
the petition.

4. Learned counsel appearing for the State opposed the prayer and
submits that the petitioner happened to be the driver and allegations

are there of utilizing the said poclain machine illegally.

5. Considering that the petitioner is the driver and it has been pointed out that the said poclain machine was only parked and there is no seizure of any stone chips in the seizure list and the petitioner has got no criminal antecedents as disclosed in para 22 of the petition, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner, above named, is directed to surrender before the learned Court within three weeks from the date of receipt of the order and on the event of his surrender / arrest, he shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty-Five Thousand) with two sureties of the like amount of each to the satisfaction of learned S.D.J.M. at Sahibganj, in connection with Mirzachouki P.S. Case No. 31 of 2025, subject to the condition as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. This Anticipatory Bail Application is accordingly allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

29.01.2026
R.Kumar