

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 729 of 2026

1. Moti Sheikh, aged about 47 years, son of Abdul Sheikh, resident of Village- Chanchki, P.O. Pakur, P.S. Pakur (M), District- Pakur
2. Meharul Sheikh, aged about 41 years, son of Nureman Sheikh, resident of Village Gangarampur, P.O. Pakur, P.S. Pakur (M), District- Pakur

... Petitioners

-Versus-

The State of Jharkhand

... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Abhinav Raj, Advocate
For the State : Mr. Rajesh Kumar, A.P.P.

04/11.02.2026 Heard learned counsel appearing for the petitioners and learned counsel appearing for the State.

2. The petitioners are apprehending their arrest in connection with Pakur (T) P.S. Case No.324/2025, registered for the offence under Sections 303(2), 317(2) of the BNS, Section 4/21 of Mines and Minerals (Development and Regulation) Act, Rule 54 of JMMC Rules, 2004 and Rules 7, 9, 13 of Jharkhand Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, pending in the Court of the learned C.J.M., Pakur.
3. Learned counsel appearing for the petitioners submits that petitioner no.1 is owner and petitioner no.2 is driver of hywa and the allegations are made that on the said hywa, stone chips were illegally loaded. He next submits that the petitioners are having no criminal antecedent, as disclosed in paragraph 12 of this application. He also submits that the said stone chips were being carried on valid challan, however, that challan has been disputed by the police and that is part of the FIR.
4. Learned counsel appearing for the State opposed the prayer and submits that illegally the stone chips were being carried.

5. Considering that petitioner no.1 is owner and petitioner no.2 is driver of the hywa in question and along with the FIR, transport challan Form-D has been annexed, however that has been disputed and that is the matter of investigation and the petitioners are having no criminal antecedent, as disclosed in paragraph 12 of this application and in the attending facts and circumstances of the case, I am inclined to extend the privilege of anticipatory bail to the petitioners.

6. Accordingly, the above-named petitioners are directed to surrender before the learned Court within three weeks from today and in the event of their arrest or surrender, they shall be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Pakur in connection with Pakur (T) P.S. Case No.324/2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Dated: 11th February, 2026
Ajay/