

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 704 of 2026

Rajesh Yadav, aged about 67 years, son of Late Sita Yadav, resident of Village Chete, P.O. Udaypur, P.S. Ramkanda, District- Garhwa ... **Petitioner**

-Versus-

The State of Jharkhand

... **Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Ramesh Kumar, Advocate

For the State : Mr. Rakesh Ranjan, A.P.P.

04/10.02.2026 Heard learned counsel appearing for the petitioner and learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with Ramkanda P.S. Case No.26 of 2024, registered for the offence under Sections 303 (2) and 317(4) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 21 of the MMDR Act and Rule 7/11 of Jharkhand Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, pending in the Court of the learned Judicial Magistrate, 1st Class, Garhwa.

3. Learned counsel appearing for the petitioner submits that false allegation is made against the petitioner of storing sand on particular place. According to him, the petitioner has nothing to do with the said storage. He further submits that the name of the petitioner has been taken by one of the villagers and in the FIR, the name of the villager, who has taken the name of the petitioner, has not been disclosed. He then submits that the petitioner is having criminal antecedents, but in some cases, he has already been acquitted and in some cases, records are not found and the statement with that regard has been disclosed in paragraph 12 of this application. He also submits that in identical situation, co-accused has been provided anticipatory

bail by this Court in A.B.A. No.7545 of 2025.

4. Learned counsel appearing for the State opposed the prayer and submits that the petitioner is having criminal antecedents.

5. Looking into the contents of the FIR, it transpires that the person, who has taken name of the petitioner, his name has not been disclosed in the FIR. The petitioner is having criminal antecedents, however in some of the case, he has already been acquitted and in some of the cases, the records are not available and that is disclosed in paragraph 12 of this application. The co-accused has been granted anticipatory bail in the aforesaid A.B.A. In the attending facts and circumstances of the case, I am inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the above-named petitioner is directed to surrender before the learned Court within three weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Garhwa in connection with Ramkanda P.S. Case No.26 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

*Dated: 10th February, 2026
Ajay/*