

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 693 of 2026

1. Abdul Rasid, aged about 49 years, Son of Serajul Sk. @ Serajul, Resident of Village: Sekhpur, P.O.- Bhasaipaikar, P.S.- Samserganj, District- Murshidabad, West Bengal.

2. Alomgir Hossain, aged about 39 years, Son of Akdil Sekh, Resident of Village:- Purba Jigri, P.O.- Bhabanipur, P.S.- Farakka, District- Murshidabad, West Bengal.

..... ... Petitioners
Versus
The State of Jharkhand
..... ... Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Santosh Kumar Jha, Advocate.
For the State : Mr. Shiv Shankar Kumar, A.P.P.

03/ 09.02.2026 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners are apprehending their arrest in connection with Pakur (Muffasil) Case No. 258 of 2025, registered for the offence under Sections 303(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, Section 4/21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Rule-54 of Jharkhand Minor Mineral Concession Rules, 2004, pending in the court of learned Sub-Divisional Judicial Magistrate, Pakur.

3. Learned counsel appearing for the petitioners submits that the petitioner No. 1 is the owner and petitioner No. 2 is the driver of the truck, bearing registration number WB-59-D-0964. He next submits that the truck in question was parked near the crusher and allegations are made of loading of 850 CFT stone chips. He further submits that since the server of the mining portal was down, that's why the said truck was not taken on the road and it was parked near the crusher. He also submits that the petitioner is having no criminal

antecedent and disclosure to that effect has been made in para-13 of the petition.

4. Learned A.P.P. appearing for the State has opposed the prayer and submits that illegally the stone chips were loaded on the truck in question.

5. Considering that the truck in question was parked near the crusher and it was not plying and it has been pointed out that on the fateful day, the server of the mining portal was down and further the petitioners are having no criminal antecedent and disclosure to that effect has been made in para-13 of the petition, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners, named above, are directed to surrender before the learned court within four weeks from today and in the event of their surrender / arrest, the petitioners, named above, shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty-five thousand) each, with two sureties of the like amount each, to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pakur, in connection with Pakur (Muffasil) Case No. 258 of 2025, subject to conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Dated:-09.02.2026
Amitesh/-