

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 1134 of 2026

1. Md. Kallan, aged about 45 years, Son of Abdul Matin @ Abdul
2. Jai Prakash Yadav, aged about 60 years, Son of late Kanhai Yadav
... .. **Petitioners**
Versus
State of Jharkhand through ACB **Opposite Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. A.K. Kashyap, Senior Advocate
For the Opp. Party-State : Mr. Sumeet Gadodia, Advocate
: Mr. Ritesh Kumar Gupta, Advocate
: Mr. Nillohit Choubey, Advocate

06/23.04.2026

1. Heard the learned counsel appearing on behalf of the parties.
2. Learned counsel for the petitioners submits that the petitioners are in custody since 06.12.2025 in connection with Hazaribagh ACB P.S. Case No.11 of 2025 corresponding to ACB Case No. 11 of 2025, for the alleged offence registered under Sections 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 and under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code pending in the court of learned Special Judge (ACB), Hazaribagh.
3. Learned counsel for the petitioner submits that the petitioners are the power of attorney holder with respect to some of the properties which were sold and they were alleged to be forest land. He has further submitted that though it is alleged that the accused persons connived with the government officials for the purpose of transfer and mutation of property, but the petitioners being the power of attorney holder have no role. He has further submitted that the sale deed was executed by virtue of general power of attorney No. IV-429 of 2011 to one Samir Kumar Sahay through registered sale deed No. 6085 of 2011, but the government had taken out a letter No. 2612 dated 05.12.2012 cautioning the public at large not to deal with forest land. He has submitted that the petitioners being the power of attorney

holders are not beneficiaries of the said transactions, but he had only executed sale deed on behalf of the owner of the property and there is allegation that the purchasers of the property connived with the government officials to get the property mutated in their name. The petitioners are in custody since 06.12.2025 and charge sheet has been submitted on 26.02.2026 for offence under Sections 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 and Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code. He submits that the provisions of Prevention of Corruption Act does not apply upon the petitioners.

4. Learned counsel appearing on behalf of the opposite party-State though has opposed the prayer and has referred to the counter affidavit but the submission which has been made by the learned counsel for the petitioners that they are the power of attorney holders and as per the allegation the purchasers of the property connived with the government officials to get the mutation done is not in dispute.

5. In the counter affidavit also no particular allegation has been mentioned regarding his role in getting the mutation done in favour of the purchasers of the property.

6. After hearing the learned counsel for the parties and considering the aforesaid facts and the custody of the petitioners since 06.12.2025 and charge sheet having already been submitted, the petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (ACB), Hazaribagh in connection with Hazaribagh ACB P.S. Case No. 11 of 2025 corresponding to ACB Case No. 11 of 2025 on the following conditions:

- (i) One of the bailors would be the present *pairvikar* of the petitioner.
- (ii) The other bailor should be his close relative.
- (iii) The petitioner will attend the court on each and every date and on account of his single default, the learned

court shall cancel the bail bond furnished by the petitioner.

(iv) The petitioner will deposit a self-attested copy of his Aadhar Card along with his mobile number before the learned court which he will not change during the pendency of the case without prior permission of the court.

(v) The petitioner shall fully co-operate with the proceedings before the learned court below.

7. The instant bail application is allowed with the aforesaid conditions.

8. Let a copy of this order along with a copy of the affidavit filed with the bail petition be communicated to the court concerned through 'FAX/E-mail'.

(Anubha Rawat Choudhary, J.)

23.04.2026
Rakesh/-
Uploaded on:-27.04.2026