

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 708 of 2026

1. Neeraj Kumar Gupta, aged about 49 years, son of Om Prakash Gupta, resident of village-Ayodhyaganj Bazar, Katihar, P.O. and P.S. Kursela, District-Katihar (Bihar).
2. Fekarul Shekh, aged about 31 years, son of Ansur Shekh, resident of village-Ilami, 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. Gautam Kumar, Advocate

Mr. Abhinav Raj, Advocate

For the State

: Mr. Rakesh Ranjan, Advocate

02/ 10.02.2026: Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are apprehending their arrest in connection with Pakur (Mufassil) P.S. Case No. 266/2025 registered under sections 303(2), 318(4), 338, 340(2), 3(5) of B.N.S., Sections 4/21 of Jharkhand Mines and Minerals (Development & Regulation) Act, 1957, Rule 54 of JMMC Rules, 2004 and Rules 7, 9, 13 of Jharkhand Minerals (Prevention of illegal Mining Transportation and Storage) Rules, 2017 pending in the Court of learned S.D.J.M, Pakur.

3. Mr. Abhinav Raj, learned counsel for the petitioners submits that petitioner no.1 is owner and petitioner no. 2 is driver of the hywa vehicle and allegations are made that stone chips were loaded on the said vehicle. He further submits that stone chips were being carried on valid challan which is part of the F.I.R. however delay has occurred due to fault in the vehicle. He refers to annexure-2 which is document regarding payment to the mechanic for curing certain defect of vehicle. He submits that petitioners have got no criminal antecedent which is disclosed in para 11 of the petition. On these grounds, he submits that the petitioners may kindly be provided privilege of

anticipatory bail.

4. Learned counsel for the State opposes the prayer and submits that illegally the stone chips were being carried on the said vehicle.

5. The transportation challan Form-'D' is part of F.I.R however allegations are made that the said challan was forged, that is question of investigation. The petitioner no.1 is owner and petitioner no. 2 is driver of the hywa vehicle. Annexure-2 is document which shows payment to the mechanic for curing certain defect of vehicle. The petitioners have got no criminal antecedent which is disclosed in para 11 of the petition.

6. In the attending facts and circumstances of the case, , I am inclined to grant anticipatory bail to the petitioners. Accordingly, the above named, petitioners are directed to surrender before the learned court within three weeks from today and in the event of their surrender / arrest, the petitioners 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 S.D.J.M, Pakur, in connection with Pakur (Mufassil) P.S. Case No. 266/2025, subject to conditions as laid down under Section 482 (2) of B.N.S.S, 2023.

Dt.10.02.2026

(Sanjay Kumar Dwivedi, J.)

satyarthi-