

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 839 of 2026

1. Nizam Hossain @ Nijam Hossain, aged about 29 years, S/o Tajer Ali, resident of village- Chandra Prasadpur, P.O. + P.S.- Kandi, District- Murshidabad (West Bengal)
2. Sujan Sk. Aged about 23 years, S/o Dulu Sk. Resident of village- Bhabani Nagar, P.O. + PS.- Kunia, District- Murshidabad (West Bengal)

.... **Petitioners**

-- Versus --

The State of Jharkhand

.... **Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :- Mr. S. P. Roy, Advocate

For the State :- Mr. P. K. Chatterjee, Spl.P.P.

02/13.02.2026 Heard learned counsel appearing for the petitioners as well as the learned counsel appearing for the State.

2. The petitioners are apprehending their arrest in connection with Shikaripara P.S. Case No. 115 of 2025, registered under sections 303(2) and 3(5) of the BNS, 2023, sections 4/21 of Mines and Minerals (Development & Regulation) Act, 1957, under Rules 4/54 Jharkhand Minor Minerals Concession Rule, 2004 and Rules 9/13 of Jharkhand Minerals (Prevention of illegal Mining Transportation and Storage) Rules, 2017 pending in the Court of learned A.C.J.M, Dumka.

3. Learned counsel for the petitioners submits that petitioner no.1 is the owner and petitioner no.2 is the driver of the hywa trucks and allegations are made that illegally the sand was being carried out on 21 hywas and the owners and the drivers of another hywas have been granted anticipatory bail by this Court in A.B.A. Nos. 321/2026, 322/2026, 323/2026, 324/2026, 343/2026, 421/2026, 422/2026, 484/2026, 505/2026 and 585/2026. He also

submits that petitioners have got no criminal antecedent, which is disclosed in para 21 of the petition.

4. Learned counsel appearing for the State opposes the prayer and submits that illegally the sand was being carried out on the said vehicles.

5. In view of the above and considering that in identical situation, the co-accused persons have already been granted anticipatory bail. Further, the petitioners have got no criminal antecedent as disclosed in paragraph No.21 of the petition, the petitioners are directed to surrender before the learned Court within two weeks and the learned Court shall release the petitioners on such terms and conditions or the sureties as the learned Court may deem fit and proper.

6. Accordingly, this anticipatory bail application is disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated 13.02.2026
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