

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 1465 of 2026

1.Suraj Oraon, son of Khadi Oraon, aged about 40 years, resident of Asni Nawatoli, PO and PS Gumla, District Gumla, Jharkhand

2.Samir Toppo, son of Mikhail Toppo, aged about 30 years resident of Village Asni Nawatoli, PO and PS Gumla, District Gumla, Jharkhand

.... Petitioners

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :- Mr. K.S. Nanda, Advocate

For the State :- Mr. A.K. Tiwari, Advocate

2/09.04.2026 Heard learned counsels for petitioners and for State.

2. The petitioners are apprehending their arrest in connection with Gumla PS Case No.426 of 2025, for offence registered under section 303(2)/317(5) of BNS, 2023, Rules 4 and 54 of Jharkhand Minor Minerals Concessions Rules, 2004, Rules 7 and 9 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, pending in court of learned Chief Judicial Magistrate, Gumla.

3. Learned counsel for the petitioners submits that petitioner no.1 is owner and petitioner no.2 is driver of the vehicle in question by which 100 cft sand was being carried. He next submits that the petitioners are having no criminal antecedent as disclosed in paragraph no.10. He next submits that co-accused has been granted anticipatory bail in ABA No.1064 of 2026.

4. Learned State counsel opposes prayer and submits that illegally the sand was being carried on the vehicle in question.

5. Considering that petitioner no.1 is owner and petitioner no.2 is driver of the vehicle in question and the petitioners are having no criminal antecedent as disclosed in paragraph no.10 and co-accused has been granted anticipatory bail in ABA No.1064 of 2026, and in that view of the matter, both the petitioners above named, are, hereby, directed to surrender before learned court within two weeks from today, and learned court shall release both the petitioners, above named, on such terms and conditions as well as sureties as the learned court may deem fit and proper.

This petition is disposed of.

(Sanjay Kumar Dwivedi, J.)