

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1436 of 2026

1. Md. Mustak Ansari, aged about 42 yrs. S/o
Salauddin Ansari, R/o Vill. Sijua, Bathantand, P.O. &
P.S. Morradih, Dist. Dhanbad.

2. Arbind Kumar Murmu, aged about 34 yrs. S/o Butu
Murmu, R/o Vill. Gunduba, Sijua, P.O. & P.S.
Morradih, Dist. Dhanbad.

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

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Shailesh Kumar Singh, Advocate.
For the State : Mr. Gautam Rakesh, A.P.P.

03/ 08.04.2026 Heard learned counsel for the petitioners and learned A.P.P
for the State.

2. The petitioners are apprehending their arrest in connection
with Nirsa P.S. Case No. 614 of 2025, registered for the offence under
Sections 317(4), 317(5), 338, 336(3) and 3(5) of Bharatiya Nyaya
Sanhita, 2023, Section 21 of the Mines and Minerals (Development and
Regulation) Act, 1957, Rule-54 of Jharkhand Minor Mineral
Concession Rules, 2004, Rule 13 of the Jharkhand Minerals
(Prevention of Illegal Mining Transportation and Storage) Rules, 2017,
pending in the court of learned Judicial Magistrate, Dhanbad.

3. Learned counsel appearing for the petitioners submits that
the petitioners have been falsely implicated in this case. He next
submits that only allegations are made against these petitioners that
they used to help the others in sending the sand to the adjacent State.
He next submits that the petitioners are neither the owners nor the
drivers of the truck. He further submits that Form-D is the part of the

FIR, which prima facie suggests that on the basis of transport challan, the sand was being transported.

4. Learned A.P.P. appearing for the State has opposed the prayer and submits that the allegations are there of helping the others in sending the sand to the adjacent State.

5. Form-D is the part of the FIR, which is the transport challan, however, the same is in dispute and further only allegations are there against these petitioners that they are helping the others in sending the sand to the adjacent State, in that view of the matter, the petitioners, named above, are directed to surrender before the learned Court within two weeks from today 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.

(Sanjay Kumar Dwivedi, J.)

Dated:-08.04.2026
Amitesh/-