

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No. 2217 of 2025

- 1. Mahendra Sharma, aged about 51 years, S/O Late Jagdish Sharma, R/o Village- Gaon Dhab, Khandi, Jhumri Telaiya, P.O-Jhumri P.S. - Chandwara, District - Koderma
- 2. Vijay Raj, aged about 48 years, S/O Moti Singh, R/o Village- Kishan Vatika, Shiv Mandir, Station Road, PO & PS. - Chandrapura, District - Bokaro

... Petitioners

Versus

The State of Jharkhand

... opp. party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Prashant Kr. Rai , Adv.
For the State : Ms. Bandana Sinha, Addl.PP

02 / 08.04.2025 Heard the parties.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Nimiaghat P.S. Case No. 99/2024 registered for the offences punishable under Sections 303(2)/317(5)/112(2)/3(5) of BNS, Section 4/21 MMDR Act, 4/54 JMMC Rule, & 3/7/9/13 Jharkhand Minerals (Prevention of Illegal Mining Transportation and Storage) Rule 2017 & Section 33 of Forest Act.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioner no. 1 is the driver and the petitioner no. 2 is the owner of the truck, which was seized while transporting the illegally extracted coal. It is then submitted that the allegations against the petitioners are all false. It is further submitted by learned counsel for the petitioners that the petitioner has no criminal antecedent, as mentioned in paragraph 20 of the anticipatory bail application. It is next submitted that the petitioners are ready to co-operate with the investigation of the case and also undertakes to furnish

sufficient security including cash security hence, the petitioners be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioners.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioners shall be released on bail on depositing Rs. 10,000/- each as cash security and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M 1st Class, Giridih in connection with Nimiaghat P.S. Case No. 99/2024 subject to the condition that the petitioner will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile phone number during the pendency of the case along with the other conditions laid down under section 482 (2) of BNSS, 2023.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-