

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1957 of 2026

Tula Kumar Saha, son of Durga Saha, resident of Pathriya, P.O. and P.S.
Kotalpokhar, District Sahibganj Petitioner
Versus
State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Yasir Arafat, Advocate
For the State : Mr. Prabir Chatterjee, Special P.P.

02/30.04.2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is apprehending his arrest in connection with Hiranpur P.S. Case No. 11 of 2026, registered for the offence under Sections 317(5) and 3(5) of Bhartiya Nyaya Sanhita, 2023, Sections 4 and 21 of Mines and Minerals (Development and Regulation) Act, Rule 54 of Jharkhand Minor and Minerals Concession Rules, 2004 and Rules 7, 9 and 13 of Jharkhand Mineral (Prevention of Illegal Mining, Transportation and Storage) Rule, 2017 pending in the court of learned Additional Chief Judicial Magistrate, Pakur.
3. Learned counsel appearing for the petitioner submits that petitioner is driver of Hyva truck and the allegations are made of loading 500 CFT stone boulder on the said Hyva. He further submits that the said boulder was loaded by another person. He also submits that the petitioner is having no criminal antecedent as disclosed in para 6 of the petition.
4. Learned counsel appearing for the State has opposed the prayer and submits that illegally the stone bolder was being carried in the Hyva.
5. Considering that the petitioner happens to be the driver of the Hyva and it has been pointed out that the said boulder was loaded by another person and he is having no criminal antecedent as disclosed in para 6 of the petition and in that view of the matter, the petitioner, named above, is directed to surrender before the learned Court within two weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Pakur, in connection with Hiranpur P.S. Case No. 11 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)