

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 2178 of 2026

1. Milan Sk. Aged about 48 years, son of Abdul Jalil Sk.
2. Namaji Sk. @ Nawaji Sk, aged about 38 years, son of Fajer Sk.
Both are residents of village Domkal P.O. and P.S. Domkal, District-
Murshidabad, West Bengal

..... ... Petitioners

Versus

The State of Jharkhand

..... ... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners

:Md. Zaid Ahmed, Advocate

For the State

: Mr. Prabir Kr. Chatterjee, Spl.P.P.

02/ 07.05.2026: Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners are apprehending their arrest in connection
with Masalia P.S. Case No.88 of 2025, registered under sections 303(2),
317(5) of BNS and section 4/21 of MMDR Act, 1957 and Rules 9/13
Jharkhand Minerals (Prevention of illegal Mining Transportation and Storage)
Rules, 2017 pending in the Court of learned S.D.J.M, Dumka.

3. Learned counsel for the petitioners submits that petitioner
no.1 is owner and petitioner no.2 is driver of the hywa vehicle and
allegations are made of illegally carrying 30.3 MT coal however, challan was
produced which is part of F.I.R and inspite of that F.I.R has been lodged. He
next submits that petitioners have got no criminal antecedent which is
disclosed in para 19 of the petition. On these grounds, he submits that the
petitioners may kindly be provided privilege of anticipatory bail.

4. Learned counsel for the State opposes the prayer and submits
that allegations are there of carrying coal in absence of proper document.

5. Form B is the transport challan which part of F.I.R which prima
facie suggests that document regarding coal was there however that
document is disputed by the prosecution. The petitioner no.1 is owner and

petitioner no.2 is driver of the hywa vehicle and they have got no criminal antecedent which is disclosed in para 19 of the petition.

6. In the attending facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the above named, petitioners are directed to surrender before the learned court within three weeks from today and in the event of their surrender / arrest, the petitioners shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each, to the satisfaction of learned S.D.J.M, Dumka, in connection with Masalia P.S. Case No.88 of 2025, subject to conditions as laid down under Section 482 (2) of B.N.S.S, 2023.

Dt.07.05.2026

(Sanjay Kumar Dwivedi, J.)

satyarthi-