

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2573 of 2025

Sadhu Charan Mahato, aged about 31 years, S/O Ram Chandra Mahato, R/O
Village – Siddih, PO – Siddih, PS – Chandil, District – Seraikela –
Kharsawan, Jharkhand, 832401. **... Petitioner**

Versus

The State of Jharkhand **... ... Opposite Party**

CORAM: SRI ANANDA SEN, J.

For the Petitioner(s) : Ms. Sharda Kumari, Advocate
For the State : Mr. Shiv Shankar Kumar, APP
In Person : Mr. Dilson Birua, SI

04/ 11th July 2025

1. Heard the learned counsel for the parties.
2. This anticipatory bail application under Section 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences registered under Section 414 of the Indian Penal Code.
3. The allegation against the petitioner in FIR is that while checking Highway, a vehicle bearing no. JH09AT2770 was intercepting vehicle loaded with sand. On seeing the Police, it is alleged that leaving the vehicle, the driver fled. The Police found 400 cft of sand loaded on the said Truck but there was no document. After that Police took the vehicle in custody and informed the mining officials and ultimately the FIR was registered on 11th February 2024 under Section 414. The allegation is that the sand was illegally excavated.
4. It is surprising that the vehicle was apprehended on 01.12.2023 but seizure list was prepared only on 11.02.2024. The defence which the police is taking, is that they were waiting for the letter of Mining Department and only thereafter, seizure list was prepared and FIR was lodged. The defence taken by the Police is not convincing. It is surprising that the Police has kept

the vehicle from 01.12.2023 till 11.02.2024 without any authority. Further, when the Police themselves have admitted that there was no document and evidence in the vehicle or any other material to support the legality or transportation of the sand, then why immediately seizure list was not prepared and the case was not lodged is unknown.

5. Considering the aforesaid facts, I am inclined to ***allow*** anticipatory bail to this petitioner. The petitioner above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of ***learned Court of Sub Divisional Judicial Magistrate at Chandil***, in connection with ***Chandil P.S. Case No.38 of 2024***, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.
6. Accordingly, this anticipatory bail application of the petitioner is ***allowed***.

(ANANDA SEN, J.)

Aditi