

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3623 of 2025

1.Jai Prakash Yadav @ Jaiprakash Yadav, S/o Kameshwar Yadav, R/o Asha Kothi Khatal, PO and PS Madhuban, District Dhanbad
 2.Mantu Yadav, S/o Suresh Yadav, R/o Asha Kothi Khatal, PO and PS Madhuban, District Dhanbad
 3.Vinod Sharma @ Binod Sharma @ Binod Kumar Sharma, S/o Shivprakash Sharma, R/o Maheshpur, PO and PS Madhuban, District Dhanbad
 4.Rocky Modak @ Tapas Kumar @ Tapas Kumar Modak, S/o Sudamay Modak, R/o Nawgarh Basti, PO and PS Madhuban, District Dhanbad
... ... Petitioner(s)

Versus

The State of Jharkhand. **... ... Opposite Party(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Pratiush Lala, Advocate.
 For the State : Mr. Fahad Allam, A.P.P.

02/ 10.07.2025

Heard the parties.

2. This anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioners apprehending their arrest for offences registered under Sections 303(2), 317(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, Section 4, 21 of Mines and Minerals Regulation and Development Act, Rule 5, 54 of Jharkhand Minor Mineral Concession Rules, 2004 and Rule 7, 9, 13 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules.

3. It is an allegation that 90 tons of coal was found 100 metres away from the house of one Karu Yadav lying in the open space. It is stated that some persons who were present there on assurance of not disclosing their identity had informed the police that the coal belongs to Karu Yadav, the petitioners and 10-12 other persons. Further in the FIR it has been mentioned that 90 tons of coal was seized but since there was no independent person present the seizure list witnesses are

the police officials.

4. Learned A.P.P. representing the State opposes the prayer for anticipatory bail.

5. Considering the material in the FIR which would suggest that nothing has been found near the house of the petitioners and further there are two contrary statements in the FIR that there are some persons who disclosed the name of the petitioners but on the other hand it has been mentioned that there was no person who could have been placed as seizure list witness, this Court finds it a fit case for grant of anticipatory bail to the petitioners.

6. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioners, above named, are 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 their surrender or arrest, they shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned JMFC, Dhanbad, in connection with Madhuban P.S. Case No.6 of 2025, 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/her name or in the name of his/her ancestors in which he/she is having share and to that effect, he/she has to file an affidavit before the Trial Court indicating his/her share in the property.

7. The petitioners are directed to appear before the Investigating Officer once in every 15 days till submission of the final report.

(ANANDA SEN, J.)