

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5344 of 2025

Aurangjeb Hashmi @ Aurangzeb Hashmi @ Dola @ Aurangzeb, aged about 36 years, S/o – Shamim Ahmad, R/o G Type Khalari, PO and PS – Khalari, District – Ranchi, 829205, Jharkhand

.... Petitioner

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Divyansh Krishna, Advocate

For the State :- Mr. Someshwar Roy, Advocate

05/15.09.2025 Heard learned counsel appearing for the petitioner as well as the learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with Balumath P.S. Case No.23 of 2020, for the alleged offences registered under Sections 379, 406, 420, 467, 468, 471 and 120B of Indian Penal Code pending in the Court of learned C.J.M., Latehar.

3. Learned counsel appearing for the petitioner submits that the petitioner is neither the owner nor the driver of the truck in question and there are general and omnibus allegation against the accused persons in the FIR. He submits that in the FIR it is alleged that Ashok Kumar Yadav in conspiracy with his brother Mukesh Kumar Yadav and other fraudulently diverted 40 trucks loaded with coal between 28.11.2019 to 04.01.2020. He further submits that Ashok Kumar @ Ashok Kumar Yadav and Mukesh Kumar Yadav @ Mukesh Kumar have been granted anticipatory bail in ABA Nos.739 of 2021 and 666 of 2021 and two other accused persons have also been granted anticipatory bail in ABA

Nos.4707 of 2025 and 5281 of 2025.

4. Learned counsel appearing for the State opposes the prayer and submits that the allegations are there of not reaching the truck to the destination.

5. Looking into the contents of the FIR it transpires that the allegations are there upon Ashok Kumar Yadav and his brother Mukesh Kumar Yadav and they have been granted anticipatory bail by a co-ordinate Bench of this Court in the aforesaid ABAs and it has been pointed out that the petitioner is neither the owner nor the driver of the truck in question. In the attending facts and circumstances of this case, I am inclined to provide anticipatory bail to the petitioner.

6. Accordingly, the petitioner, above named, is hereby directed to surrender before the learned Court within three weeks from today, and in the event of his surrender/arrest, the petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of the like amount each, to the satisfaction of learned C.J.M., Latehar in connection with Balumath P.S. Case No.23 of 2020, subject to the conditions as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Dated 15.09.2025
Sangam/