

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 5524 of 2025

Md. Jabbar Ansari @ Md. Jabbar, aged about 39 years, son of Md. Shahjan Ansari, resident of 117, Dargah Mahalla, Khetko, P.O. Khetko, P.S. Bokaro Steel City, District- Bokaro

... Petitioner

-Versus-

The State of Jharkhand

... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Ms. Trishna Sagar, Advocate

For the State : Mrs. Lily Sahay, A.P.P.

03/18.09.2025 Heard learned counsel appearing for the petitioner and learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with Peterwar P.S. Case No.169 of 2023, registered for the offence under Sections 379/411/34 of the Indian Penal Code, pending in the Court of the learned Sub-Divisional Judicial Magistrate, Bermo at Tenughat.

3. Learned counsel appearing for the petitioner submits that the petitioner happened to be the owner of the tractor and the allegations are made that 3 tons of raw coal was loaded on the tractor and 7 tons of raw coal was lying by the side of the tractor. She further submits that the petitioner has got no criminal antecedent, which has been disclosed in in paragraph 14 of this application. She then submits that the learned Sessions Judge has given liberty to the petitioner to move and surrender before the learned Court on the strength of the judgment passed by the Hon'ble Supreme Court in the case of ***Satender Kumar Antil v. Central Bureau of Investigation & another***, reported in ***(2022) 10 SCC 51***, however, the petitioner has not surrendered before the learned Court.

4. Learned counsel appearing for the State opposed the prayer and submits that the learned Sessions Judge has already given liberty to the petitioner to surrender in light of the judgment passed in the case of ***Satender Kumar Antil (supra)***.

5. Considering that liberty is already provided to the petitioner to move before the learned Court on the strength of the judgment passed in the case of ***Satender Kumar Antil (supra)*** and the petitioner is happened to be the owner of the tractor and he has got no criminal antecedent and in that view of the matter, the petitioner is directed to move before the learned Court within two weeks from today and the learned Court shall release the petitioner on such terms and conditions or sureties as the learned Court may deem fit and proper.

6. Accordingly, this application is disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated: 18th September, 2025
Ajay/