

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 5089 of 2026

Shakil Ahamad @ Shakil Ahmad, aged about 33
years, S/o Md. Nasir Ahmad @ Md. Nisar Ahmad,
R/o Khetko, P.O. Khetko, P.S. Petarwar, District-
Bokaro, Jharkhand.

..... ... Petitioner
Versus
The State of Jharkhand
..... ... Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Kshitij Arya, Advocate.
For the State : Mr. P.K. Chatterjee, A.P.P.

04/ 09.09.2026 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner is apprehending his arrest in connection with
Balidih P.S. Case No. 72 of 2026, registered for the offence under
Sections 303(2) and 317(2) read with Section 3(5) of Bharatiya Nyaya
Sanhita, 2023, Section 21 of the Mines and Minerals (Development and
Regulation) Act, 1957, Rule-54 of Jharkhand Minor Mineral
Concession Rules, 2004, Rule 13 of the Jharkhand Minerals
(Prevention of Illegal Mining Transportation and Storage) Rules, 2017 ,
pending in the court of learned SDJM, Bokaro.

3. Learned counsel appearing for the petitioner submits that
the petitioner is the owner-cum-driver of the tractor and the said tractor
was purchased by the petitioner for agricultural purpose and 100 CFT
sand was being carried on the said tractor for construction of his own
house. He next submits that the petitioner is having no criminal
antecedent and disclosure to that effect has been made in para-09 of the
petition. On these grounds, he submits that anticipatory bail may
kindly be provided to the petitioner.

4. Learned A.P.P. has opposed the prayer and submits that
illegally the sand was being carried in the said tractor. On this ground,

he submits that anticipatory bail may kindly be rejected.

5. Considering that the petitioner is the owner-cum-driver of the tractor in question and it has been pointed out that the said tractor has been purchased by the petitioner for agricultural purpose, however, 100 CFT sand was being carried on the said tractor for construction of his own house and the petitioner is having no criminal antecedent and disclosure to that effect has been made in para-09 of the petition and in the attending facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner, named above, is directed to surrender before the learned court within four weeks from today and in the event of his surrender / arrest, the petitioner, named above, shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty-five thousand), with two sureties of the like amount each, to the satisfaction of learned SDJM, Bokaro, in connection with Balidih P.S. Case No. 72 of 2026, subject to conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Dated:-09.09.2026
Amitesh/-