

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6475 of 2024

Manjar Alam @ Raza Khan, S/o Mumtaz Asraf, R/o Post Hesla, P.S. and District- Ramgarh.

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

CORAM : SRI ANANDA SEN, J.

For the Petitioner : Mr. Kalyan Roy, Advocate
Mr. Sidhartha Roy, Advocate
For the State : Ms. Ruby Pandey, Addl. P.P.

07/ 10.07.2025 The present anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been preferred by the petitioner apprehending his arrest in connection with Ramgarh Police Station Case No.230 of 2024, registered for the offences alleged under Sections 317(5), 61(2), 338, 336(3) and 340(2) of the Bhartiya Nagarik Sanhita and Sections 30(ii), 31(1) and 31(2) of Coal Mines Act, pending in the Court of the Chief Judicial Magistrate, Ramgarh.

2. As per the First Information Report, the allegation revolve around the illegal trade and transport of coal wherein the apprehended accused disclosed the name of the Raza Khan, on amongst others, to be involved in illegal trade of coal using of coal by preparing forged documents.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in this case. He contended that the petitioner is neither the owner of the vehicle seized nor the coal belonged to him. He submitted that the petitioner was never involved in the trade of coal. He further submitted that in the entire First Information Report no allegation has been attributed against the petitioner. The co-accused persons have disclosed the name of one Raza Khan of Hesla without giving any parentage. He lastly submitted that the petitioner is having no criminal antecedents against him.

4. Learned A.P.P. appearing for the State vehemently opposed the prayer of the petitioner for grant of anticipatory bail. She submitted that there are enough materials in the case diary to suggest that the petitioner was involved in the alleged offence.

5. In order to consider the arguments of the parties, I have gone through the available records including the case diary. From the Case Diary, I find that paragraph 3 is the restatement of the informant and paragraphs 5, 7

and 9 are confessional statements of apprehended accused persons and statements of the police personnel, who were part of raiding party have also been recorded in course of investigation. In the Case Diary, I could not find any incriminating material or allegation of any overt act as against the petitioner Manjar Alam.

6. Considering the aforesaid facts, I am inclined to grant privilege of anticipatory bail to the petitioner. The petitioner, named above, is directed to surrender before the Court concerned within four weeks from today and in the event of his surrender and/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 the Chief Judicial Magistrate, Ramgarh in connection with Ramgarh Police Station Case No.230 of 2024, subject to the condition that one of the bailers should be close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his own 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; with a further condition that the petitioner shall cooperate with the investigation and shall appear before the Investigating Officer once in every 15 days till submission of the chargesheet.

7. This anticipatory bail application is, accordingly, allowed.

(Ananda Sen, J.)

Kumar/Cp-03