

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5540 of 2025

Sonu Kumar Saw, aged about 33 years, son of Khublal Saw, resident
of Azad Muhalla, PO Jhumri Telaiya, PS Telaiya, District Koderma,
Jharkhand Petitioner

-- Versus --

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:-	Mr. Sanjay Kumar Pandey, Advocate
For the State	:-	Mr. Rakesh Kumar Sinha, Advocate

2/18.09.2025 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Telaiya P.S. Case No.231 of 2025, for offence registered under section 303(2), 317(2)(5), 223(b) of BNS, 2023, Section 13 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017 Rule 54 of Jharkhand Minor Mineral concession Rules, 2004, and Section 21(1)(5) of Mines and Mineral (Regulation and Development), Act, pending in court of learned Additional Chief Judicial Magistrate, Koderma.

3. Learned counsel for petitioner submits that petitioner is neither owner nor driver of the tractor in question and the allegation is made that 100 cft sand was being carried on the said tractor. He further submits that in spite of that, the petitioner is said to be the owner of the tractor in question in the FIR. He next submits that driver and owner both have been granted anticipatory bail and one another accused person has been granted anticipatory bail in ABA No.5334 of 2025 by order dated 15.09.2025. He then submits that the petitioner has got no

criminal antecedent as disclosed in the paragraph no.10 of the petition.

4. Learned State counsel opposes prayer and submits that illegally the said sand was being carried on the said tractor.

5. Considering that the owner and the driver of the vehicle in question has been granted anticipatory bail and it has been pointed out that the petitioner has nothing to do with the said tractor and the petitioner has got no criminal antecedent as aforesaid, I am inclined to grant anticipatory bail to petitioner.

6. Accordingly, petitioner, above named, is hereby directed to surrender before learned court within three weeks from today, and in event of his surrender/arrest, petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, to satisfaction of learned Additional Chief Judicial Magistrate, Koderma, in connection with Telaiya P.S. Case No.231 of 2025, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.

(Sanjay Kumar Dwivedi, J.)

Dated: 18th Sept., 2025
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