

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 5891 of 2025

1. Balmicky Yadav @ Balmicky Kumar, aged about 29 years, son of Dashrath Yadav @ Daso Yadav, resident of Budora, Maheshpur, P.O. Maheshpur, P.S. Madhuban, District-Dhanbad
 2. Chandan Yadav, aged about 30 years, son of Fuleshwar Yadav, resident of Ashakothi Khatal, P.O. Nawagarh, P.S. Madhuban, District-Dhanbad
- Petitioners

Versus

The State of Jharkhand

..... ... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners

:Mr. Deepak Sahu, Advocate

For the State

: Mr. Prabir Kumar Chatterjee, Spl.P.P.

02/ 09.10.2025: Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are apprehending their arrest in connection with Madhuban P.S. Case No. 08/2025, registered under sections 303(2), 317(5), 3(5) of BNS, 2023, and sections 4, 21 of Mines and Minerals (Development & Regulation) Act, 1957, under Rule 4, 54 of Jharkhand Minor Minerals Concession Rule, 2004, Rule 7, 9 and 13 of Jharkhand Minerals (Prevention of illegal Mining Transportation and Storage) Rules, 2017 pending in the Court of learned Judicial Magistrate, Ist Class, Dhanbad.

3. Learned counsel for the petitioners submits that allegations are made that on the three tractors coal have been loaded. He further submits that the name of the petitioners has been taken by a person whose name is not disclosed in the F.I.R. He also submits that petitioners have criminal antecedent and co-accused persons have been granted anticipatory bail in A.B.A. No. 2885/2025, A.B.A. No. 4537 of 2025 and A.B.A. No. 4741 of 2025. On these grounds, he submits that the petitioners may kindly be provided privilege of anticipatory bail.

4. Learned counsel for the State opposes the prayer and submits that name of the petitioners has been taken by a person and the petitioners

have criminal antecedent.

5. In anticipatory bail and regular bail if criminal antecedent is there that is one of the consideration of granting anticipatory bail or regular bail however that cannot be only criteria of allowing and rejecting anticipatory bail and regular bail

6. Considering that the name of the petitioners has been taken by a person whose name is not disclosed in the F.I.R and co-accused persons have been granted anticipatory bail in the aforesaid A.B.As.

7. In the attending facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the above named, petitioners are directed to surrender before the learned court within three weeks from today and in the event of their surrender / arrest, the petitioners shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, Ist Class, Dhanbad, in connection with Madhuban P.S. Case No. 08/2025, subject to conditions as laid down under Section 482 (2) of B.N.S.S, 2023.

Dt.09.10.2025

(Sanjay Kumar Dwivedi, J.)

satyarthi-