
(2022) 08 JH CK 0017
In the Jharkhand High Court
Case No : A.B.A. No. 5417 Of 2022

Anand Mahato @ Anand And Others

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 08-08-2022

Acts Referred:

Jharkhand Minerals (Prevention Of Illegal Mining Transportation And Storage) Rule, 2017 — Rules 9, 13
Jharkhand Minor Mineral Concession Rules, 2004 — Rule 4, 54
Indian Penal Code, 1860 — Section 34, 414
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2022) 08 JH CK 0017

Hon'ble Judges : Gautam Kumar Choudhary, J

Bench : Single Bench

Advocate : Vikash Kumar, Veervijay Pradhan

Final Decision : Allowed

Judgement

Gautam Kumar Choudhary, J

Apprehending their arrest, petitioners- Anand Mahato @ Anand and Baldev Mahato have moved this Court for grant of privilege of anticipatory bail in connection with Chowka P.S. Case No. 31 of 2022 registered under Section 414, 34 of the Indian Penal Code and Rule 4/54 of the Jharkhand Minor Mineral Concession Rules, 2004 and Rules 9, 13 of Jharkhand Minerals (Prevention of Illegal Mining Transportation and Storage) Rule, 2017.

Heard the parties.

It is submitted by learned counsel for the petitioners that the petitioners are the drivers of the vehicles which were seized with illegal sand. The petitioners have no concern with the alleged sand. The petitioners have got no criminal antecedent.

The Addl. P.P. opposed the prayer for bail and submitted that the petitioners are

involved in the illegal mining of sand.

Considering the submissions of learned counsel and the fact as discussed above, the anticipatory bail application is allowed. Hence, in the event of their arrest or surrender within a period of two weeks from the date of this order, the petitioners named above shall be released on bail on depositing Rs.10,000/- each as cash security and furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below, subject to the conditions laid down under section 438 (2) Cr. P.C.

The petitioners will cooperate in the investigation and will appear on notice under Section 41A of Cr. P.C.