

(2026) 08 JH CK 3729
In the Jharkhand High Court
Case No : A.B.A. No. 4253 of 2026

Aslam Khan

APPELLANT

Vs

The State Of Jharkhand

RESPONDENT

Date of Decision : 03-08-2026

Acts Referred:

BNS, 2023 — Section 317(2), 3(5)
Mines and Minerals (Development and Regulation) Act, 1957 — Sections 4/21
Forest Act — Section 33
Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023 — Section 482(2)

Citation : (2026) 08 JH CK 3729

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Mr. Shwetang Kumar Tiwari, Mr. Abhay Kumar Tiwari

Final Decision : Allowed

Judgement

2/03.08.2026 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Ramgarh PS Case No.31 of 2025, for offence registered under section 317(2), 3(5) of BNS, 2023 and sections 4/21 of Mines and Minerals (Development and Regulation) Act, 1957 and section 33 of Forest Act, pending in court of learned Judicial Magistrate First Class, Dumka.

3. Learned counsel for petitioner submits that the petitioner has been falsely implicated in this case alleging that the petitioner has fled away from the place. He next submits that the petitioner is said to be driver of the Tata 407 truck on which five tons coal was loaded. He next submits that the petitioner earns his livelihood by way of driving the said vehicle.

4. Learned State counsel opposes prayer and submits that the allegations are there of fleeing away from the spot.

5. Considering that the petitioner is the driver of the vehicle in question and it

has been pointed out that he earns his livelihood by way of driving the said vehicle and the allegations of fleeing away from the spot has been denied by the learned counsel for the petitioner, 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 Judicial Magistrate First Class, Dumka, in connection with Ramgarh PS Case No.31 of 2025, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.