

(2024) 01 JH CK 0039
In the Jharkhand High Court
Case No : A.B.A. No. 10654 Of 2023

Dipak Lohara @ Deepak Lohara And Others

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 19-01-2024

Acts Referred:

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

Citation : (2024) 01 JH CK 0039

Hon'ble Judges : Ambuj Nath, J

Bench : Single Bench

Advocate : Vikash Kumar, Lily Sahah

Judgement

Ambuj Nath, J

1. Heard the parties.
2. Petitioners are apprehending their arrest in connection with Ichagarh P.S. Case No. 48 of 2023 for the offences registered under sections 414/34 of the Indian Penal Code, Rule 4/54 of Jharkhand Minor Mineral Concession Rules, 2004 and Rule 9/13 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, pending in the court of learned A.C.J.M., Chandil.
3. Petitioners appear to be the drivers of Hywa bearing registration nos. JH 5 CF 0396, JH 10AV 7901, JH 05 AX 7727 and JH 05 AU 2423 respectively. The aforesaid Hywas along with several other vehicles were seized by the Circle Officer, Ichagarh on 31.05.2023 loaded with sand.
4. It was submitted that the seizure list does not disclose the quantum of sand which was loaded on the seized vehicles. It was further submitted that the petitioners have got no criminal antecedent and this fact has been stated at

para- 17 of this anticipatory bail application.

5. Considering the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to the petitioners. Accordingly, petitioners, above named, are directed to surrender before the learned court below within two weeks from the date of receipt of a copy of this order and the learned court below on their surrender, shall release them on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty-five thousand) each, with two sureties of the like amount each, to the satisfaction of learned A.C.J.M., Chandil in connection with Ichagarh P.S. Case No. 48 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.