
(2021) 04 JH CK 0226
In the Jharkhand High Court
Case No : A.B.A. No. 1889 Of 2021

Prakash Mahto @ Om Prakash Mahto

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 22-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 414
Coal Industry Nationalisation Act, 1946 — Section 30
Indian Forest Act, 1927 — Section 33
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 04 JH CK 0226

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Final Decision : Allowed

Judgement

The matter is taken up through video conferencing. No one turns up on behalf of the parties.

The petitioner is directed to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Ramgarh P.S. Case No.421

of 2020 registered under sections 414/34 of the Indian Penal Code, Section 30 of Coal Mines (Nationalization) Act and under Section 33 of Indian

Forest Act.

Perusal of the record reveals that the allegation against the petitioner is that the petitioner along with co-accused persons are the main persons who

were involved in illegally extracting coal by making tunnel in the river bank for its supply to nearby brick kilns. It is further averred in the anticipatory

bail application that the allegations against the petitioner are all false and the

petitioner has no concern with the seized tractors nor he has any criminal antecedent as has been mentioned in paragraph no.12 of the anticipatory bail application. It is next averred that the petitioner is ready to abide by any terms and conditions imposed upon him by this Court.

Considering the facts of the case, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail.

Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash

security of Rs.5000/- and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the

satisfaction of learned C.J.M., Ramgarh, in connection with Ramgarh P.S. Case No.421 of 2020 with the condition that the petitioner will cooperate

with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a

copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to

the conditions laid down under section 438 (2) Cr. P.C.