

(2023) 09 JH CK 0008
In the Jharkhand High Court
Case No : A.B.A. No. 2979 Of 2023

Rakibul Seikh @ Rakibul Sk And Others	APPELLANT
Vs	
State Of Jharkhand	RESPONDENT

Date of Decision : 04-09-2023

Acts Referred:

Jharkhand Minor Mineral Concession Rules, 2004 — Rule 4, 54
Indian Penal Code, 1860 — Section 379, 411
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2023) 09 JH CK 0008

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Gautam Kumar, Prabhu D. Agrawal

Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending their arrest in connection with Ranga P.S. Case No.11 of 2023 instituted under Sections 379, 411 of the Indian Penal Code and Rule 04/54 of Jharkhand Minor Mineral Concession Rules, 2004, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners are the owners of tractors which were seized by police while being involved in transportation of stone-chips without valid challan. It is submitted that the allegation against the petitioners is false. Drawing attention of this Court towards para-13 of the instant bail application, learned counsel for the petitioners submits that the petitioners have no criminal antecedent. It is next submitted that the petitioners had no knowledge about their vehicle being involved in any illegal activity. It is lastly submitted that the petitioners undertake to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the

petitioners be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court below within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on depositing Rs.5,000/-each as cash security and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Rajmahal in connection with Ranga P.S. Case No.11 of 2023 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.