

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A. B. A. No. 5402 of 2024

Karu Singh

..... Petitioner

Versus

The State of Jharkhand

..... Opposite Party

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner:

Mr. Shreya Tiwary

For the State:

Mr. Rakesh Ranjan, A.P.P

03/02.09.2024 Heard learned counsel for the parties.

2. The petitioner apprehending his arrest in connection with the case registered under Sections 303(2)/317(5)/3(5) of Bharatiya Nyay Sanhita, 2023, Section 21 of Mines and Minerals (Development & Regulation) Act, 1957, Rule 54 of Jharkhand Minor Mineral Concession Rules, 2004 and Rule 13 of Jharkhand Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2017 has prayed for grant of anticipatory bail.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and has not committed any offence as alleged in the F.I.R. He is the owner of the truck (Hywa) bearing registration no. JH-07G-4344 from which there is alleged recovery of 600 cft. illegal sand. He has no idea as to how the said vehicle was found loaded with the said sand. In fact, the said vehicle was under the control of the driver at the time of the alleged occurrence. Though he has one more criminal case pending against him, however, so far as the present case is concerned, he has been implicated without any cogent evidence. He also undertakes to cooperate in the ongoing investigation. Hence, he may be given the privilege of anticipatory bail.

4. Learned A.P.P opposes the petitioner's prayer for anticipatory bail.

5. Considering the aforesaid facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the above named petitioner is directed to surrender before the concerned Court below

within a period of three weeks. If he surrenders before the Court below within the aforesaid period, he shall be released on bail on furnishing bail-bond of Rs.20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Gumla in connection with Bharno P.S. Case No. 37/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Satish/-

(RAJESH SHANKAR, J)