

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B.A. No. 8665 of 2021

Devnarayan Nayak @ Devniarayan Nayak

...

Petitioner

Versus

The State of Jharkhand

...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Ritesh Kumar, Advocate

For the State : Mr. P.K. Chatterjee, Spl. P.P.

**Order No.02 Dated- 24.11.2021**

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Jariyagarh P.S. Case No.21 of 2021 registered under sections 414/420 of the Indian Penal Code, under section 54 of the Jharkhand Minor Mineral Concession Rule, 2004 and under Rule 3/9(1) of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2017.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner is the owner of the tractor which was seized by police for transporting illegally excavated sand. It is further submitted that the allegations against the petitioner are all false and he has no knowledge about his vehicle being involved in any illegal activity. It is then submitted that the petitioner has no criminal antecedent as has been mentioned in para-18 of the instant anticipatory bail application. It is next submitted that the petitioner undertakes to furnish sufficient security including cash security and also undertakes to cooperate with the investigation

of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, 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.5,000/- 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., Khunti, in connection with Jariyagarh P.S. Case No.21 of 2021 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.

**(Anil Kumar Choudhary, J.)**

Sonu/Gunjan-