

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.7626 of 2024

Anand Kumar Gupta, S/o Balgovind Ram Gupta, R/o
Rajganj Road, near Santoshi Mata Mandir, Kaali Phatak,
Guhibangh Barwadih, P.O.-Katrasgarh, P.S.-Katras,
District-Dhanbad.

..... Petitioner.

-Versus-

The State of Jharkhand

..... Opp. Party.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Aman Kr. Rahul, Advocate
Mrs. Sonali Bhattacharjee, Advocate
Mr. Anant Vikram, Advocate
Mr. Rishi Chandan, Advocate
For the State : Mrs. Ruby Pandey, A.P.P.

Order No.03

Date: 07.12.2024

1. The petitioner apprehending his arrest in connection with Katras P.S. Case No.231 of 2024 for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, Sections 4/21 of the Mines and Minerals (Development & Regulation) Act, 1957 and Rules 7/9/13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, has prayed for grant of anticipatory bail.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner is the owner of truck bearing registration no.JH-10CQ-6235 which was allegedly apprehended by the police with about 30-35 tons of coal without valid paper. It is further submitted that in fact, the said coal was loaded in Kolkata and was being transported to Ranchi by the said

truck with valid papers i.e. tax invoices, e-way bills etc. Though the said papers were shown to the police by the driver of the said vehicle, however, the same were refused to be accepted. The petitioner has no criminal antecedent as has been stated in paragraph no.19 of the present anticipatory bail application. He, however, undertakes to co-operate in the ongoing investigation. Hence, he may be given the privilege of anticipatory bail.

3. Learned A.P.P. opposes the petitioner's prayer for grant of anticipatory bail.
4. Having heard learned counsel for the parties and considering the materials available on record, I am inclined to enlarge the petitioner on anticipatory bail.
5. Accordingly, the petitioner, above named, in the event of his arrest or surrender before the court below within three weeks from today, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dhanbad in connection with Katras P.S. Case No.231 of 2024 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Vikas/

(Rajesh Shankar, J.)