

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 3189 of 2013

Rajendra Hansda

..... Petitioner

Versus

The State of Jharkhand

..... Opposite Party

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioner

:

Mr. S.P. Roy, Advocate

For the State

:

A.P.P.

02/Dated: 20th December, 2013

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with the case registered under Sections 379, 411, 420, 467, 468, 471, 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that from perusal of the F.I.R., it is evident that the petitioner is a General Mazdoor of Lalmatia Colliery under the E.C.L; that under the scheme of E.C.L., some quantity of coal was allotted to the Mazdoor for the domestic use. It is alleged that on the said date 2.5 tonnes of coal were found being carried illegally in two bullockcarts and the identity card of the petitioner was found; that the petitioner was not accompanying the said bullockcarts, and the coal was loaded by one M. Murmu and security guard of the E.C.L. hence, ingredients of offence under the aforesaid section is not made out against the petitioner; that the petitioner has been made an accused on the basis of confessional statement.

Learned A.P.P while opposing the prayer for bail has submitted that the card of the petitioner was found; as per verification, it has come to light that on the said date, there was no order for supplying the coal on the said card; that the supply is made on the basis of the card by the officials of the E.C.L.

Considering the fact that the petitioner is the General Manager and it is the responsibility of the security personnel and concerned official for supplying the coal on the card of the General Mazdoor and this petitioner was not found carrying the said coal or accompanying the bullockcarts, the above named petitioner is directed to surrender in the Court below within four weeks from the date of this order and in the event of his arrest or surrender the Court below shall grant bail to the above named petitioner on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Godda in connection with Lalmatiya P.S. Case No. 12 of 2013 corresponding to G.R. No. 249 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Amitav K. Gupta, J.)