

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 4889 of 2013

1. Narayan Mahto Petitioners
2. Kayum Ansari
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH

For the Petitioners : Mr. Prabhat Kumar Sinha
For the State : A.P.P.

02 /31.5.2013 Heard learned counsel for the petitioners as well as learned A.P.P appearing on behalf of the State.

Petitioners are accused in connection with Nawadih P.S. Case No. 65 of 2011 corresponding to G.R. No. 810 of 2011 for the offence registered u/s 413/414/34 of the Indian Penal Code and under Section 33 of the Indian Forest Act.

In the F.I.R. it is alleged that on information of illegal mining of coal a raid was conducted and one Teklal Mahto was arrested. The said person has named several persons. The name of petitioner no. 1. has come as having indulged in illegal mining of coal for the use of some coal company. It is submitted that the petitioner no.1 is in custody since 25.4.2013 and petitioner no.2 is in custody since 4.5.2013.

The statements of the co-accused, Teklal Mahto has no evidentiary value in the eye of law as no incriminating articles have been recovered from the possession of these petitioners.

Learned A.P.P. appearing on behalf of the state opposed the prayer for bail.

In the facts and circumstances, petitioners, named above are directed to be released on bail on furnishing bail bond of 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of Learned Judicial Magistrate, 1st Class, Bermo at Tenughat in connection with Nawadih P.S. Case No. 65 of 2011 corresponding to G.R. No. 810 of 2011.

(Aparesh Kumar Singh, J.)