

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 4072 of 2013

1. Saroj Prasad Mehta @ Saroj Mehta			
2. Vijay Kumar Yadav	Petitioner
<i>Versus</i>			
The State of Jharkhand	Opposite Party

CORAM: HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioners	: Mr. Awanish Shekhar, Advocate
For the State	: Mrs. Lily Sahay, A.P.P.

06/30.06.2014 Heard the learned counsel appearing for the parties and perused the documents on record.

The learned counsel appearing for the applicants submits that the applicants are apprehending their arrest in connection with Hariharganj P.S. Case No. 99 of 2013 corresponding to G.R. No. 1302 of 2013 registered under Section 379 of the Indian Penal Code, under Section 33 of the Forest Act and under Section 54 of the Jharkhand Minor Mineral Concession Rules, 2004.

The learned counsel appearing for the applicants submits that the applicants have been carrying out the business of crusher stone chips under valid licences and they have also produced copies of their licence in the Court.

In the counter-affidavit filed by the prosecution, the validity of such licence has not been disputed. It is further submitted that the applicants have also deposited requisite fee for renewal of their licences so issued to them. On these grounds, it is submitted that a false case has been registered against the present applicants.

The learned A.P.P. appearing for the State opposes the prayer for grant of anticipatory bail. She Submits that the materials on record would indicate that though the licence had already expired, the applicants had continued to carrying on their activities.

From the materials on record, it appears that the genuineness of the licence produced by the applicants has not been doubted. The applicants have sought further renewal of their licences. It further appears that vide order dated 24.01.2014, interim protection was granted to the applicants.

In the facts and circumstances of the case, in the event of arrest of the applicants namely, Saroj Prasad Mehta @ Saroj Mehta and Vijay Kumar Yadav or if they surrender before the trial court within a period of four weeks from today, they would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Palamau in connection with Hariharganj P.S. Case No. 99 of 2013 corresponding to G.R. No. 1302 of 2013.

Let a copy of this order be sent through FAX on depositing the cost by the applicants.

(Shree Chandrashekhar, J.)

Manish