

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2498 of 2016

.....

Mahendra Singh Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE ANANT BIJAY SINGH

For the Petitioner : Mr. Sandeep Verma, Advocate
For the State : A.P.P.

04/ Dated 31st August, 2016

The petitioner is apprehending his arrest in connection with Nawalsahi P.S. Case No. 18 of 2016 registered for the offences punishable under Sections 21 (1) /21(6) Khan and Khanij Act, 1957 and Section 54 of Jharkhand Minerals Concession Rules 2004 and Jharkhand Khanij Bikreta Niymawali Niyam-8 and Section 414 of Indian Penal Code.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and he has committed no offence whatsoever. It is further submitted that petitioner has no concern with the seized material and nothing has been recovered from their conscious possession. It is submitted that offence under Section 414 of the I.P.C. is not made out and other offences are bailable in nature. So, petitioner deserves the privilege of bail.

Learned counsel for the State opposes the prayer for anticipatory bail.

Regard being had to the facts and circumstances of the case, I am inclined to release the petitioner on anticipatory bail. Accordingly, the petitioner above named is directed to surrender in the court below within two weeks and pray for bail, and in that event, he shall be released on bail 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, Koderma in connection with Nawalsahi P.S. Case No. 18 of 2016 corresponding to G.R. No. 355 of 2016 subject to the condition that on the date of surrender-petitioner shall deposit Rs. 3000/- in the trial court and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(A.B.Singh, J.)