

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.7088 of 2019

1. Md. Mumtaz

2. Md. Mumtaz @ Madras Koli Petitioners

Versus

The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Arwind Kumar, Advocate

For the State : Mrs. Vandana Bharti, A.P.P

Order No.04 Dated- 25.10.2019

Apprehending their arrest in connection with Giridih (M) P.S. Case No.201 of 2015 corresponding to G.R. No.1229 of 2015 instituted under Sections 379/411 of the Indian Penal Code and Section 30 of the Coal Mines (Nationalization) Act, 1973, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Heard learned counsel appearing for the petitioners and learned A.P.P appearing for the State.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were extracting coal illegally from Kabribad colliery and on seeing the police party, they fled away. It is submitted that the allegation against the petitioners is false. Drawing attention of this Court towards para-10 of the instant anticipatory bail application, learned counsel for the petitioners submits that the petitioners have no criminal antecedent. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned Sub Divisional Judicial Magistrate, Giridih within four weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on depositing **Rs.5,000/-(Rupees five thousand) each as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with

two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Giridih in connection with Giridih (M) P.S. Case No.201 of 2015 corresponding to G.R. No.1229 of 2015 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Animesh/