

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 3573 of 2022

1. Goutam Kumar Jaiswal			
2. Binod Mirdha	Petitioners
Versus			
The State of Jharkhand	Opp. Party

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner	: Mr. S.P. Roy, Advocate
For the State	: Mr. Suraj Verma, A.P.P.

Oral Order

04/ Dated : 30.06.2022

The anticipatory bail application filed on behalf of petitioner, namely, Goutam Kumar Jaiswal and Binod Mirdha, who are apprehending their arrest in connection with Mahagama PS Case No. 14 of 2022 for the offence registered under Sections 379, 414 and 34 of the Indian Penal Code, under Section 4/54 of the Jharkhand Minor Minerals Concessions Rule, 2004 (as amended) and Rules 9/13 of the Jharkhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017, pending in the Court of learned Judicial Magistrate, 1st Class, Godda is pressed into motion.

Heard the parties.

It is submitted that the petitioner No.1 is the registered owner and the petitioner No.2 is the driver of the said tractor and they have no concern with the alleged illegal mining. It is also submitted that the petitioners have got no criminal antecedent.

The learned APP vehemently opposed the prayer for anticipatory bail.

Considering the submissions of the learned counsels and the facts as discussed above, the anticipatory bail application is allowed. Hence, in the event of their arrest or surrender within a period of two weeks from the date of this order, these petitioners named above shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below, subject to the conditions laid down under section 438 (2) Cr. P.C.

The petitioners will cooperate in the investigation and will appear on notice under Section 41A of Cr.P.C and comply with the condition as laid down under Section 438(2) of the Cr.P.C.

(Gautam Kumar Choudhary, J.)