

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3578 of 2024

Md Idrish Petitioner
Versus
The State of Jharkhand Opposite Party

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner : Mr. Haider Ali, Advocate
For the State : Mr. Shailesh Kr. Sinha, Addl.P.P

Order No.02 Dated- 31.05.2024

Heard learned counsel for the parties.

2. Apprehending his arrest in connection with Simariya P.S. Case No. 08 of 2024 instituted under Sections 379, 411, 414 of the Indian Penal Code, Sections 4 and 21 of Jharkhand Mines and Minerals Regulation Act, 2004 Rule 54 of JMMC Rule, 2004 and Rules 7, 9 and 13 of JM(PIMTS) Rule, 2017 the petitioner has moved this Court for grant of privilege of anticipatory bail.

3. As per FIR, allegation is that the petitioner being driver of the tractor bearing Reg. No.JH-13H-9244 was found indulged in illegal transportation of 100 cft of sand without any valid documents.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence at all rather he has been falsely implicated in this case. Nothing has been recovered from the possession of petitioner and he has no criminal antecedents.

Other co-accused with similar allegation has already been extended the privilege of anticipatory bail by the Co-ordinate Bench of this Court vide order dated 24.05.2024 passed in A.B.A. No.3401 of 2024.
Petitioner undertakes to co-operate with the investigation of the case. Hence, the petitioner may be extended the privilege of anticipatory bail.

5. Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of this case, the nature of allegation against petitioner coupled with materials available on record, I am inclined to extend privilege of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to

surrender before the Court below within four weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Chatra in connection with Simariya P.S. Case No. 08 of 2024 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his 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.

(Pradeep Kumar Srivastava, J.)

Pappu/