
(2021) 04 JH CK 0204

Jharkhand High Court

Case No: A.B.A. No. 1722 Of 2021

Kedar Sao

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: April 19, 2021

Acts Referred:

Indian Penal Code, 1860 " Section 379, 411#Coal Mines (Nationalisation) Act, 1973 " Section 30#Indian Forest Act, 1927 " Section 33#Code Of Criminal Procedure, 1973 " Section 438(2)

Citation: (2021) 04 JH CK 0204

Hon'ble Judges: Anil Kumar Choudhary, J

Bench: Single Bench

Final Decision: Allowed

Judgement

The matter is taken up through video conferencing.

No one turns up either on behalf of the petitioner or on behalf of the State.

The petitioner is directed to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

Apprehending his arrest in connection with Balumath P.S. Case No.101 of 2020 instituted under Sections 379, 411 of the Indian Penal Code, Section

30 of the Coal Mines (Nationalization) Act and Section 33 of the Indian Forest Act, the petitioner has moved this Court for grant of privileges of

anticipatory bail.

Perusal of the record reveals that the allegation against the petitioner is that the petitioner was involved in storing of huge quantity of coal from the

forest area after clearing the bushes and trees. It has been averred in the anticipatory bail application that the allegation against the petitioner is false.

Perusal of the record further reveals that co-accused, with similar allegations, has already been given the privileges of anticipatory bail by a co-

ordinate Bench of this Court vide order dated 07.12.2020 passed in A.B.A. No.6102 of 2020 and in para-19 of the instant anticipatory bail application

it has been averred that the petitioner has no criminal antecedent and in para-26 it has been averred that the petitioner is ready and willing to abide by

any terms and conditions imposed upon him by this Court.

Considering the facts of the case, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to

surrender in the Court of learned C.J.M., Latehar within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on

bail on depositing Rs.5,000/- (Rupees five thousand) as cash security and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two

sureties of the like amount each to the satisfaction of learned C.J.M., Latehar in connection with Balumath P.S. Case No.101 of 2020 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.