Jharkhand High Court

Shyamlal Mandal & Anr vs State Of Jharkhand on 1 July, 2011

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A. B. A. No. 647 of 2011

1.

Shyamlal Mandal

2. Babujan .	Ansari	Petiti	oners Versus
State of Jharkha	nd	Opposite Party IIIIIICORAM:	
HON'BLE MR. JUSTICE PRADEEP KUMAR			
For the Petitioners	: Mr. Dilip Kumar Jaiswal, Ad	lv.	
		For the State	. ΔΡΡ

6/1.7.2011 Heard learned counsel for the petitioners and

Earlier, the anticipatory bail application of petitioner no.1, namely, Shyamlal Mandal was withdrawn by a Bench of this Court vide order dated 15.6.2011.

The petitioner no.2, Babujan Ansari, who is an accused for offence under Sections 413/414/34 of the Indian Penal Code, prays for anticipatory bail, apprehending his arrest in connection with Nawadih P. S. Case No. 58 of 2010, corresponding to G. R. No. 787 of 2010.

Learned counsel for the petitioner submitted that on secret information the informant □ police party recovered 150 tonnes of coal from an open tand. Thereafter the police know from the villagers that the fifteen persons, who were engaged in illegal coal trading. Learned counsel further submitted that the petitioner has nothing to do with the coal in question and he is not dealing in coal, hence the petitioner no.2, Babujan Ansari prays for anticipatory bail.

Learned counsel for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, the petitioner no.2, Babujan Ansari is directed to surrender before the court below within two weeks from today, and in the event of his surrender, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/ \square (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bermo at Tenughat in connection with Nawadih P. S. Case No. 58 of 2010, corresponding to G. R. No. 787 of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further conditions that (i) one of the bailors would be local resident having property within the jurisdiction of the Court (ii) the petitioner will present before the Court below once in every month on the date fixed, otherwise his bail bond shall stand cancelled.

(Pradeep Kumar, J.) jk