

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 3898 of 2026

Md. Jiyaul Rahman @ Jiyaul Rahman @ Md. Ziyaul Rahman, aged about 34 years, son of Md. Zakim Shaikh, resident of village-Jaikisthopur, P.O. and P.S. Manirampur, District-Pakur, Jharkhand, proprietor of M/s Zeeshan Stone Works, having its registered office at village-Jaikisthopur, P.O. and P.S. Manirampur, District-Pakur, Jharkhand

..... ... Petitioner

Versus

The State of Jharkhand

..... ... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :Mr. Saurabh Shekhar, Advocate

: Mr. Anurag Kumar, Advocate

: Mr. Yuvraj Singh, Advocate

For the State : Mr. Vishwanath Roy, A.P.P.

02/ 27.07.2026: Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is apprehending his arrest in connection with Pakur (Town) P.S. Case No. 123 of 2026, registered under sections 336(3), 338, 340(2), 318(4), 61(2) and 3(5) of the BNS, 2023, pending in the Court of learned Chief Judicial Magistrate, Pakur.

3. Learned counsel for the petitioner submits that petitioner has applied for grant of mining lease of minor mineral (stone) on 02.03.2021 and consequent upon which the District Mining Officer had issued a contiguous report dated 06.07.2021 and thereafter, Environmental Clearance Certificate was issued in faovur of the petitioner in B-2 category on 23.09.2021 contained in annexure-2 series. He next submits that mines in respect of the area situated in Mauza Talpahari, Thana No. 115, Jamabandi No. 21, 08, Plot no. 1226/P, 1227/P, 1228, 1230, 1231, 1232, 1234, District Pakur, Area 2.60A (1.05H) came to be registered in the name of the petitioner's proprietorship firm being a registered dealer (mineral) with the direction of the District Mining Lease Officer vide letter dated 18.11.2021

contained in annexure 3 series. He further submits that when the dispute with regard to the discrepancies found in the contiguous report submitted by the petitioner in the financial year 2022-23 had come into light as pointed out by the Directorate of Mines, vide its letter no. 1025/M dated 24.04.2026 the Environmental Clearance of the mines in question was withdrawn and further the District Mining Officer vide its letter dated 13.05.2024 had also asked the petitioner to submit the Environmental Clearance Certificate in B-1 category for which the petitioner bonafidely had applied to State Environment Impact Assessment Authority for the same contained in annexure 4. He submits that in this background the future lease of the petitioner has been cancelled which was challenge in W.P.(C) No. 2689 of 2025 which was disposed of by order dated 09.09.2025 with a liberty to find out remedy contained in annexure 5 series. He next submits that dispute is with regard to lease of category B-1 and B-2. On these grounds, he submits that the petitioner may kindly be provided privilege of anticipatory bail.

4. Learned counsel for the State opposes the prayer and submits that all mischiefs have been done by the petitioner and in view of that anticipatory bail of the petitioner may kindly be rejected.

5. In view of above facts and considering the materials on record along with annexures it transpires that petitioner applied for mining lease and environmental clearance certificate has been provided to the petitioner vide annexure-2 and thereafter what has happened that is noted in the argument of the learned counsel for the petitioner. Prima facie it transpires that there is dispute with regard to lease of category in which petitioner is coming for mining lease.

6. In the attending facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the above named, petitioner is directed to surrender before the learned court within three weeks from today and in the event of his surrender / arrest, the petitioner shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Pakur, in connection with Pakur (Town) P.S. Case No. 123 of 2026, subject to conditions as laid down under Section 482 (2) of B.N.S.S, 2023.

Dt.27.07.2026

satyarthi-

(Sanjay Kumar Dwivedi, J.)