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Raj Kumar Ahuja Vs. the State of Jharkhand

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Court : Jharkhand

Decided On : Jun-20-2013

Appellant : Raj Kumar Ahuja

Respondent : The State of Jharkhand

Judgement :

INTHEHIGHCOURTOFJHARKHANDATRANCHI A.B.A.No.1934of2013 RajKumarAhuja Petitioner Versus TheStateofJharkhand OppositeParty CORAM: HONBLEMR.JUSTICED.N.UPADHYAY ForthePetitioner :Mr.PraveenShankarDayal,Advocate FortheState :A.P .P. 04/20.06.2013 Heardlearnedcounselfortheparties.

Itrevealsfromthewrittenreportthatatapickupvan207bearing registrationnot JH05AR2469,loadedwithporacoalpackedindifferentbags weighingabout8quintal,wasseizedbythepolice.Thedriverofthevehicleas wellasownerofcoalwereapprehended.

Itissubmittedthatpetitionerhappenstobeownerofsaidpickupvan andhehas noconcernwiththe illegaltradeofcoal. Itis evidentfromthe writtenreportitselfthatownerofcoalwasRajeshMalakarwhowasarrestedon thespot. LearnedcounselappearingfortheStateopposedtheprayerforbail.

Consideringthefactsandcircumstances,quantityofcoal beingcarried onthepickupvan,Ifeelinclinedtogivebenefitofsection438Cr.P.C.tothe petitioner. Accordingly,abovenamedpetitionerisdirectedtosurrenderbeforethe Courtbelowwithinaperiodofthreeweeksfromtodayandonsuchsurrender he is directed to be released on bail on furnishing bail bond of Rs.10,000/ (Rupees Ten

Thousand) with two sureties of the like amount each to the satisfaction of the Court of learned Chief Judicial Magistrate, Hazaribagh in connectionwithRamgarhP.S.CaseNo.66of2013correspondingtoG.R.Case No.783of2013subjecttotheconditionslaiddownunderSection438(2)Cr.P.C. (D.N.Upadhyay,J.) NKC

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