

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12846 of 2023

Applicant :- Ram Lakhan

Opposite Party :- State Of Up Through Prin. Secy. Home, Lko.

Counsel for Applicant :- Ashok Kumar, Chandra Prakash

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Ashok Kumar, the learned counsel for the applicant, Sri Anant Pratap Singh, the learned A.G.A.-I for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Range Case No. 19/2023-24, under Sections 26, 41/42 Indian Forest Act and Section 7/55(2) of the Biological Diversity Act, 2002, Range Dhaurahra, District Lakhimpur Kheri.

3. The aforesaid case has been registered on the basis of a complaint alleging that the accused person had felled some trees.

4. In the affidavit filed in support of the application it has been stated that the applicant is innocent and he has no criminal history.

5. The learned counsel for the applicant has submitted that the offence alleged carries a maximum punishment of imprisonment for a period of six months and the applicant is languishing in jail since 03.10.2023.

6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the mandate of the Hon'ble Supreme Court in the case of ***Satender Kumar Antil v CBI (2022) 10 SCC 51***, I am of the view that the applicant is entitled to be released on bail in the aforesaid case.

8. Accordingly, this bail application stands ***allowed***.

9. Let the applicant-***Ram Lakhan*** be released on bail in Range Case No. 19/2023-24, under Sections 26, 41/42 Indian Forest

Act and Section 7/55(2) of the Biological Diversity Act, 2002, Range Dhaurahra, District Lakhimpur Kheri on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

Order Date :- 3.11.2023

Pradeep/-