

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40486 of 2014

Arising Out of PS.Case No. -198 Year- 2013 Thana -DHARHARA District- MUNGER

Shivnandan Yadav Son of Late Misri Yadav R/o Village Laraiatar, Present
Bangalwa, P.S. Dharhara, District Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 379/411 of the Indian Penal Code, 26, 33, 41 of the Forest Act, Section 29, 32, 38 of the Wild Life Animal (Protection) Act and 4/7 of the Bihar Mineral Rules registered in connection with Dharhara P.S. Case No. 198 of 2013.

3. It is submitted that the petitioner has been falsely implicated on the mere confessional statement of co-accused Md. Fakhruddeen who was the driver of the Tractor. It is specifically stated that the petitioner is not the owner of the seized Tractor. No offence is made out under the Wild Life Animal (Protection) Act even on the averments made in

the F.I.R.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Dharhara P.S. Case No. 198 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C with additional condition that the petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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