

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42110 of 2015**

Arising Out of PS.Case No. -48 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-  
GAYA

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1. Sudarshan Yadav S/o Ramautar Yadav  
2. Satrudhan Roy S/o Ramautar Yadav  
3. Ramautar Yadav S/o Late Sohrai Yadav  
All are Resident of Village Kandi, Police Station Chandauti, District  
Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar No.- 4, Advocate  
For the Opposite Party/s : Mr. Zainul Abedin(App)

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR**  
**SAHOO**  
ORAL ORDER

2      13-10-2015                      Heard the learned counsel for the petitioners and  
learned A.P.P. for the State.

The petitioners, namely, Sudarshan Yadav,  
Satrudhan Roy and Ramautar Yadav who apprehend their  
arrest in Forest Case No. 48 of 2015 under Sections 33 and 70  
of the Forest Act.

According to the prosecution case, the allegation is  
that the petitioners are clearing the forest land measuring  
about 100 acres and are cultivating the same after encroaching  
it.

The learned counsel for the petitioners submitted  
that in fact the petitioners are in possession of the properties  
more than many 12 years and, therefore, there is land dispute

between the parties i.e. The State of Bihar and the petitioners.

On the other hand learned A.P.P. objected the prayer for anticipatory bail.

Considering the nature of allegation, I direct the petitioners named above to surrender before the court below within six weeks from today and on their so surrendering, the court below is directed to release the petitioner on bail on furnishing bail bond of Rs. 5,000/- (Rupees five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Forest Case No. 48 of 2015 subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Mungeshwar Sahoo, J)**

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