

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55620 of 2015

Arising Out of PS.Case No. -25 Year- 2007 Thana -GOVERNMENT OFFICIAL COMP. District-
MUNGER

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1. Vijay Kumar Singh son of Shankar Prasad Singh
2. Dilip Kumar Singh son of Shankar Prasad Singh Both residents of village
Mahtoba, P.S. - Saarath, District - Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Md.Arif (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-12-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 42 of the Indian Forest Act, Section 51 of the Wild Life Protection Act and Section 3A of the Forest Conservation Act.

The prosecution case is that on 17.06.2007, the tractor of petitioner no.1 was intercepted carrying stones. Though, the petitioners were not named in the FIR but subsequently during investigation, name of petitioner no.1 sprang as the owner of the alleged tractor whereas petitioner no.2 is the brother of petitioner no.1.

It is submitted by learned counsel for the petitioners that

though, the case was instituted in the year 2007 but the order of cognizance was passed in the year 2009 and process was issued on 02.08.2013. Moreover, petitioner no.1 submitted his show cause along with valid challan for carrying the stones. It is further submitted that no offence as alleged is made out against petitioner no.2.

Considering the nature of accusation, it is a case for consideration of prayer for regular bail of the petitioners.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Case No. 25C-3 of 2007 arising out of Munger Forest Case No. 13P/07-08 pending in the court of learned JM, 1st Class, Munger.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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