

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4684 of 2015

Arising Out of PS.Case No. -53 Year- 2007 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

- =====
1. Prabhu Pasi
 2. Jamuna Pasi @ Yamuna Pasi
 3. Shiv Shankar Pasi,
 4. Sanjay Gond,
 5. Kanhaiya Gond,
 6. Bijali Gond,
 7. Ram Bachan Ram &
 8. Shambhu Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 04-02-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Forest Case No. 53 of 2007 registered under Sections-33, 41 & 42
of the Forest Act.

According to prosecution case, the matter was reported in
the year, 2007 and after that, the prosecution report was filed in
the year, 2012 and the court having condoned the delay, took the
cognizance of offence punishable under Sections-33, 41 & 42 of
the Forest Act and ordered to issue summonses to the petitioners.

Learned Sessions Judge rejected the prayer for anticipatory

bail of the petitioners on the ground that petitioners had no apprehension of arrest as only summons has been issued against them but submission on behalf of the petitioners is that Sections- 33 & 42 of the Forest Act are non-bailable offences and when the court has issued summons, there is every possibility of rejection of regular bail application of the petitioners and therefore, petitioners do have genuine apprehension of their arrest.

Considering the above-said facts and circumstances as well as submission of the parties, the petitioners, above-named, in the event of arrest or surrender in the court below within four weeks from today, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Forest Case No. 53 of 2007 to the satisfaction of learned Judicial Magistrate-Ist Class-cum-Addl. Magistrate-5, Rohtas at Sasaram subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./- **(Hemant Kumar Srivastava, J)**

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