

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43968 of 2015

Arising Out of PS.Case No. -142 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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1. Nand Kishor Paswan, son of late Boudh Govadat.
2. Fulwa Devi wife of Nand Kishor Paswan, Both are resident of Village-
Kandi, P.S. Chandauti, district- Gaya
3. Raju Paswan, son of Late Laldeo Paswan resident of Village- Zori, P.S
Banke Bazar, 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

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 13-10-2015 Heard the Counsel for the petitioners and the APP for the
State.

The petitioners apprehend their arrest in connection with
Forest P.S. Case No. 142 of 2014 registered under Section 33 of
the Forest Act. On the basis of the report submitted by the Forest
Guard, the F.I.R. was lodged alleging that the petitioners not only
uprooted the green plants planted by the Forest Department but
also damaged by grazing the same with 10-12 cattles.

It has been submitted that there is dispute with regard to
ownership of the plot whether it belongs to the Forest Department
or the private individuals. Other accused persons similarly named
in the First Information Report have since been privileged with
anticipatory bail vide order dated 17.8.2015 passed in Cr. Misc.

No. 34696 of 2015, a web copy whereof has been handed in which is taken on record marked "X".

In the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri P.K. Sinha, Judicial Magistrate, 1st Class, Gaya in Forest Case No. 142 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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