

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49871 of 2014

Arising Out of PS.Case No. -137 Year- 2013 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Om Prakash
2. Anil Prasad @ Nilo Prasad Both sons of Late Murari Prasad Residents of
village Rashalpur, P.S. Noorsarai, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Amit Kr. Rakesh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-04-2015 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners
apprehend their arrest for the offences punishable under sections
379 and 411 of the I.P.C and sections 41/42 of the Forest Act.

The FIR has been registered against Mindar Paswan
who was caught and produced along with Saw by Dafadar
Dharambir before the informant and it is alleged that he had cut
down Mango and Mahua tree and 18 pieces of Mango tree were
given in the custody of Dafadar for safety and during investigation
Mindar Paswan stated the name of the petitioners stating that they
had sold the aforesaid tree to him.

Submission is of false implication and that at the time of recoding the FIR no one has stated the name of the petitioners nor the co-accused Mindar Paswan has stated the name of the petitioners and later on the petitioners have been implicated falsely and as such they deserve sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioners in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Nalanda in Noorsarai P.S. Case No. 137 of 2013, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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