

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43316 of 2014

Arising Out of PS.Case No. -87 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
WESTCHAMPARAN(BETTIAH)

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1. Vinod Uraon Son of Gopal Uraon
2. Umesh Uraon Son of Late Chhedi Uraon
3. Rambilash Uraon Son of Shiv Chandra Uraon
4. Dablu Uraon Son of Lakhan Uraon
5. Bina Uraon Son of Budhu Uraon
6. Bishun Uraon Son of Ghurai Uraon
All are Resident of Village-Hariharpur, P.S.-Dumari (Gobardhana), District-
West Champaran. Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Prithvi Nath Mishra

For the Opposite Party : Mr. Veena Kumari Jaiswal(App)

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

ORAL ORDER

2 22-04-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Forest Case No. 87 of 2014 registered for the offences punishable
under Sections 33, 41, 45, 51 of the Indian Penal Code and
Sections 2, 27, 29 and 31 of the Wildlife Animal Protection Act.

Allegedly, during night patrolling, the Incharge
Forester of Chiutaha Range along with other Forest officials
reached in K-55 and after hearing the sound of tangi, they
proceeded towards that sound but the criminals started fleeing
away and after chase two of them were caught hold and others
managed to their good escape. On the place of occurrence one

Shisham tree was found cut and accordingly, one tangi and five Shisham logs were seized.

Submission is of false implication and that nothing has been recovered from their conscious possession having not been arrested at the spot. The apprehended accused persons have already been allowed regular bail, and as such, the petitioners deserve sympathetic consideration to which the learned APP opposes.

Considering that the petitioners were not caught at the spot, nothing has been recovered from their possession and their names have been taken by co-accused which got no evidentiary value in the eye of law and as such the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Forest Case No. 87 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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