

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51707 of 2015

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Radha Mohan Singh son of Sri Kapil Muni Singh, resident of Mohalla-
Kabir Ganj, P.S.- Sasaram (T), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
: Mr. Bhaskar Shankar, Advocate
: Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Jharkhand Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Forest Case No.175 of 2000 in which cognizance has been taken
under Section 33 of the Forest Act.

It is contended that though the prosecution report is
dated 2.9.1994, the same reached the court after delay of six long
years on 4.12.2000. The cognizance was taken after condoning the
delay by the Chief Judicial Magistrate, Rohtas at Sasaram. It is
further contended that though the order-sheet of the court below
would demonstrate that steps were taken to secure the attendance
of the petitioner, the summonses and bailable warrant of arrest

were never served upon the petitioner and in absence of receipt of the service report, learned Magistrate has declared him absconder.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S.C.Srivastava, Judicial Magistrate, 1st Class, Rohtas at Sasaram in connection with Forest Case No.175 of 2000 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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