

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4669 of 2016

Arising Out of PS.Case No. -311 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
JAMUI

- =====
1. Shankar Hazam @ Shankar Thakur
 2. Dular Hazam son of Late Budhan Hazam
- Both are resident of village Dularpur P.S. Chakai, District Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kartik Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Lallan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 12-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 33, 41, 42 of the Indian Forest Act.

The prosecution case is that the tractor loaded with 80 pieces of timber was seized. Petitioner no. 2 is the owner of the tractor and petitioner no. 1 is the son of petitioner no. 2.

It is submitted by the learned counsel for the petitioners that tractor was used at the behest of Shyamlal Tudu, who is an extremist. The petitioners were not on the tractor, where the seizure was made. Petitioner no. 2 is 83 years of age. Statement has been made in para-3 of the petition

that petitioners have no criminal antecedent. Even assuming the accusation no offence is made out against petitioner no. 1. Though, the petitioner no. 2 is the owner of the tractor.

Considering the advance age of petitioner no.2, it is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Case No. 311C2 of 2015, pending in the court of learned Sri Deorai, J.M., Ist Class, Jamui.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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