

Arising Out of PS.Case No. -1 Year- 2012 Thana -
GOVERNMENT OFFICIAL COMP. District- PATNA

.... Petitioner

The State of Bihar

Appearance :

For the Opposite Party : Mr. Mujtabaul Haque, APP

ORAL ORDER

This application for grant of anticipatory bail arises out of C B Case No.1 of 2012 disclosing offences under Sections 5, 8 and 10 of Bihar Kasthan Churan (Viniyaman) Adhiniyam, 1990 and Sections 41 and 42 of the Indian Forest Act.

Be that as it may, I am not inclined to grant

the privilege of anticipatory bail to the petitioner on the sole ground that the petitioner has chosen to come before this Court for the first time in the year 2015, i.e., more than three years after taking of cognizance of the case by learned Judicial Magistrate.

This application is accordingly rejected.

The petitioner is directed to surrender before the court below within a period of four weeks from today and seek regular bail, if advised. If he does so, the court below shall consider his application for regular bail, in connection with C B Case No. 1 of 2012, on its own merits, without being prejudiced by rejection of the present application for anticipatory bail.

It goes without saying that the court below, while considering the application for regular bail, shall consider the petitioner's contention that no offence under the provisions of Sections 5, 8 and 10 of the Bihar Kasthan Chiran (Viniyaman) Adhiniyam, 1990 and Sections 41 and 42 of the Indian Forest Act is made out.

(Chakradhari Sharan Singh, J)

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