

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50062 of 2016

Arising Out of PS.Case No. -35 Year- 2008 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Kanhai Prasad @ Pappu @ Kanhaiya Prasad, Son of Shambhu Narayan,
Resident of Mohalla- Marufganj, P.S. Civil Lines, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 33, 41 and 42 of the Indian Forest (Bihar
Amendment) Act, 1989.

Allegation is that huge quantity of charcoal was
recovered by the informant along with patrolling party from the
Quarz Crushing Machine of M/s Shashi Tiwari, which was kept
by the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Name of the
petitioner has come in the F.I.R. on the disclosure made by the

Munshi of the thrasher machine, where the charcoal in question was found. There is no recovery from the conscious possession of the petitioner. He has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Forest Case No.35 of 2008, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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