

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33561 of 2016

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

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Mahendra Singh @ Mahendra Yadav, Son of Jagdish Yadav (wrongly mentioned in the prosecution report as Deoki Yadav), Resident of Village- Jogiya Simra, P.S.- Belaganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Kumar, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 33(1)(b) of the Indian Forest Act registered in connection with Forest Case No. 01 of 2012.

3. It is submitted that the petitioner has been falsely implicated in a case of mistaken identity as the petitioner is the son of Jagdish Yadav whereas the prosecution report relates to namesake of the petitioner who is son of Deoki Yadav. The petitioner is a Panchayat Teacher in Government Middle School, Simra since 2003.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or

surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Judge-III, Jehanabad in connection with Forest Case No. 01 of 2012, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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