

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51570 of 2016

Arising Out of PS.Case No. -243 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

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Raj Kishore Singh son of Dipan Singh resident of village : Ekdenga Tola
Bhagwanpur, P.S. - Mirganj, District : - Gopalganj..... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Sri Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Mirganj P.S. Case No. 243 of 2016 registered for the offences
punishable under Section 379 of the Indian Penal Code and
Section 33 of Indian Forest Act.

Allegedly, the petitioner cut Jackfruit tree from
Gairmazarua land.

Submission is of false implication and that Jackfruit tree
was of the petitioner which was causing inconvenience in
cultivation of the land and that is why the same was cut. In the
case diary in paragraph 6, 8 and 10 it has come that Jackfruit tree
was on the ridge of the petitioner's land and as such the petitioner
deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting



that the petitioner intentionally cut the Jackfruit tree which was on Gairmazarua land valued at Rs. 45,000/-.

In the facts and circumstances stated above, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 243 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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