

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37162 of 2016

Arising Out of PS.Case No. -57 Year- 2013 Thana -TARIYANI CHOWK District- SHEOHAR

1. Nathuni Sah Son of Late Laxaman Sah Resident of Village Pachra Goat,
P.S. Tariyani district Sheohar
2. Neyaj Ahmad son of Late Januddin Resident of Village-Hiramma P.S
Tariyani District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha No.-2

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

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 20-09-2016

Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Tariyani Police Station Case No. 57 of 2013,
disclosing offences under Section 379 of the Indian Penal
Code and Sections 33/66 of the Indian Forest Act.

With an allegation that in breach of law, a tree
on the side of a canal had been cut, the First Information
Report came to be registered against unknown.

Learned Counsel for the petitioners has
submitted that the land, where the said tree was situated,
belong to the petitioner no. 2 and, therefore, no offence
under Section 379 of the Indian Penal Code is made out.

Considering the above submission, this application is allowed.

Let the petitioners, namely, Nathuni Sah and Neyaj Ahmad, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Sushil Prasad, Judicial Magistrate, 1st Class, Sheohar, in connection with Tariyani Police Station Case No. 57 of 2013, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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