

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12151 of 2016**

Arising Out of PS.Case No. -19 Year- 2015 Thana -KAHAIYA District- MUZAFFARPUR

- =====
1. Anil Ojha Son of Giriraj Ojha
  2. Surendra Ojha Son of Lakshman Ojha
  3. Devendra Ojha Son of Ganaur Ojha
  4. Arbind Ojha @ Arbind Kumar Son of Awtar Ojha All residents of village - Sirisiya Jagdish, P.S. Kathaiya, District - Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Kalyan Shankar(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

ORAL ORDER

4 23-06-2016

Heard both sides.

The petitioners apprehend their arrest in a case registered for the offences punishable under sections 147, 149, 341, 323, 504, 506, 353 of the Indian Penal Code and Sections 3, 41 and 42 of the Indian Forest Act and Bihar Amendment Ac, 1989.

The Forest Guard alleged that the petitioners cut two trees of Shisham of the forest transplantation and the logs were being loaded on the tractor. When the informant protested, the accused persons assaulted him.

It is submitted that one Mahesh Ojha died and for

his cremation the trees were cut. Measurement was also done and it was found that the trees were not standing on the road side rather both the trees were on the private land.

Considering the facts and circumstances of the case and the nature of allegation, the above named petitioners, in the event of arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Virendra Kumar Chaubey, Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur in connection with Kathaiya P.S. Case No. 19 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Amin/-

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**(Prabhat Kumar Jha, J)**