

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50988 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

- =====
1. Deempal Kumar @ Dampal Kumar @ Pawan Kumar son of Mohan Singh @ Rajendra Singh
 2. Kallu Kumar @ Dhanjee Kumar son of Ramjee Singh @ Rajgrihi Kharwar, Both resident of Village- Dhaudhardh, P.S.- Sasaram (M), District- Rohtas.

.... Petitioners

Versus

1. The State of Bihar.
2. The District Forest Officer, Rohtas at Sasaram.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Sections 33, 41 and 42 of Forest Act.

The allegation against the petitioners is that they were
apprehended by the informant while they were carrying a tractor,
loaded with 80 c.f.t. stone chips, which is alleged to be the forest
produce, was apprehended by the informant and accordingly,
seizure list was prepared.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 10.09.2016. The petitioners



have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. They have been made accused due to mistake of fact. The alleged stone chips which is said to have been recovered from the possession of the petitioners were not the forest produce. There is no compliance of a proper seizure.

On behalf of the state, it has been submitted that the petitioners are named in the prosecution report.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned S.D.J.M., Dehri-on-Sone, Rohtas in connection with Forest Case No. 121 of 2016.

(Sudhir Singh, J.)

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