

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3365 of 2017

Arising Out of PS.Case No. -54 Year- 2013 Thana -GOVERNMENT OFFICIAL COMP. District-
AURANGABAD

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1. Gupta Singh
2. Balkeshwar Singh
Both are sons of Bundela Singh, resident of village- Pawa, P.S. Muffassil,
Aurangabad, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioners and the
State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Section 33(C) of the Indian Forest
Act.

The prosecution case is that constable Baijnath Singh
reported on 30.11.2012 to the Forester Raj Kumar Singh that
accused persons have constructed house on plot No. 1793 which
was reserved forest land. It is mentioned in the enquiry report of
Range Officer, Forest, stating therein that he found the allegation
true as the house was constructed over the forest land which is
annexed as Annexure-2.



The learned Sessions Judge in the impugned order mentioned that on seeing the entire lower courts record it was crystal clear that the accused persons have constructed house over the reserved forest land.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners stands rejected.

The petitioners are directed to surrender before the court below and pray for regular bail which shall be disposed off by the court below in accordance with law.

S.Ali/-

(Sanjay Priya, J)

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