

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48674 of 2017

Arising Out of PS.Case No. -46 Year- 2008 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Mukesh Kumar, S/o Rajeshwar Singh, R/o Village- Khiriyama, P.S.-
Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

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

ORAL ORDER

2 10-11-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Forest Case No. 46 of 2008, disclosing offences under Sections 33(i) (b), 63, 41 and 42 of the Indian Forest Act, 1989.

With the allegation that a road was being constructed in the forest area with the use of J.C.B. machine by the IRCON International Company Ltd. and in that court illegal mining was also being carried out, the said forest case came to be registered. The Deputy Chief Manager, IRCON and the Mother India Construction Private



Ltd. were made accused in the said case. The said Mother India Construction Private Ltd. happened to be the contractor of IRCON to accomplish the work of construction of road. The petitioner was an employee of said Mother India Construction Private Ltd.

Learned counsel for the petitioner has submitted that though the forest case came to be registered in 2006, since the petitioner's name was not there in the First Information Report, he did not apprehend his arrest. It is submitted that the petitioner has learnt that warrant of arrest has been issued against him because of which the present anticipatory bail application has been filed.

Be that as it may, I am of the view that a case for grant of anticipatory bail is made out. This application is, accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Gaya**, in connection with **Forest Case No. 46 of 2008**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the



petitioner shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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