

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60001 of 2017

Arising Out of PS.Case No. -17 Year- 2003 Thana -GOVERNMENT OFFICIAL COMP. District-
MUNGER

=====

1. Md. Farooque, S/o Late Md. Israfil,
2. Md. Abdul Gaffair, S/o Late Md. Israfil,
3. Md. Zulfikar @ Zulfaquar S/o Md. Farooque, All R/o Village-
Bakarpur, P.S.- Muffasil, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Case No. 17C3 of 2003 instituted for the offence under Sections 52(i) of the Indian Forest (Amendment) Act and Section 29 of the Forest Life (Protection) Act.

Counsel for the petitioners has submitted that petitioners were issued certificate by the Mining Officer. The petitioner being Railway Contractor on the basis of certificate, made stacking of stones near the Railway Track for loading the same by the Railway. They have stopped stacking stones after the order of Mining Officer after declaring the area within Prohibited Forest Area. The petitioners have enclosed the certificate issued



by the Mining Officer in their favour annexed as Annexure2 to this petition.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Case No. 17C3 of 2003 to the satisfaction of learned S.D.J.M., Munger subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

khushbu/-

U		T	
---	--	---	--

