

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58387 of 2017

Arising Out of Case No. -88C2 Year- 2005 District- JAMUI

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Bhushan Singh, son of Late Moti Singh, resident of Village- Balthar, P.S.
Sono, District Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Case No. 88C2 of 2005 registered under Sections 33, 41 and 42
of the Indian Forest Act and 10, 9, 8, 6 and 5 of Bihar Saw Mill
Act, 1990.

It is submitted by the learned counsel for the
petitioner that search and seizure is alleged to have been made
on 23.06.2015, but there is no explanation as to why the
prosecution report was sent to the court on 26.07.2005.

On the other hand, learned Additional Public
Prosecutor for the State submitted that mere on technicality, the



petitioner, who was found running a saw mill without licence, should not be granted pre-arrest bail.

Considering the facts and circumstances of the case, the petitioner named above is directed to 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 Judicial Magistrate, 1st Class, Jamui in Case No. 88C2 of 2005, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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