

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1617 of 2018

Arising Out of PS.Case No. -152 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Chhathu Das @ Kapildev Kumar Das, S/o Nathuni Das,
 2. Govind Kumar, S/o Balkishun Sah,
 3. Balkishun Sah @ Kating Sah, S/o Late Bidhwaanth Sah, All R/o
Village- Hawaee Adda, P.S.- Balmikingar, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 11-01-2018

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 27, 29, 31 of The Wild Life (Protection) Act, 1972 and Sections 41, 42 of the Indian Forest Act.

The prosecution case as per the written report of B.K. Pathak, Range Officer, Forest Range, Kotraha, Valmikinagar dated 10.10.2017 is to the effect that on 09.10.2017 the Forest Guard informed the informant that when he was on patrolling duty along with other Guards he found that



the Sisam tree was cut away by the accused persons. When the informant along with police personnel went to verify the said fact he found that the tree was cut away and was being carried on a bicycle. In the meantime, it was found that some wooden logs were loaded on a Bolero vehicle, but two persons namely, Satan Chaurasia and Santosh Das were apprehended, who disclosed the names of their associates as the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners were neither apprehended on the spot nor there is any recovery from the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Mr. J.N. Thakur, learned counsel for the State submits that the apprehended accused have suggested the name of the petitioners, who actually cut the tree in question.

Considering the fact that the name of the petitioners sprang up subsequently and there is no recovery from the petitioners coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today,



on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with I.F. P.S. Case No. 152 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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