

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50943 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

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1. Nirmal Yadav, S/o Anirudh Yadav, Resident of Village- Hatta, P.S.-
Chainpur, District- Bhabua, Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Forest Case No. 38
of 2017 instituted for the offence under Sections 33,41,42,52 of
the Indian Forest Act.

It is alleged in the written report that tractor of this
petitioner was caught loaded with stone chips in the Reserved
Forest Area.

Learned counsel for the petitioner has submitted that
the aforesaid tractor does not bear any registration number. It is
not concerned with this petitioner. He has no criminal antecedent.
From the seizure list, it appears that tractor and trolley was seized
from road. The seizure list does not bear signature of petitioner.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his 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) with two sureties of the like amount each in connection with Forest Case No. 38 of 2017 to the satisfaction of learned C.J.M., Kaimur at Bhabua 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) petitioner 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 petitioner and (3) if the petitioner 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 petitioner.

(Sanjay Priya, J)

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