

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12765 of 2018

Arising Out of PS.Case No. -1 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

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1. Sunil Mallah, S/o Ramjanam Mallah,
2. Lakhan Mallah, S/o Baijnath Mallah,
3. Sitaram Mallah, S/o Late Raghunath Mallah,
4. Suljar Mallah, S/o Late Raghunath Mallah,
5. Moti Mallah, S/o Baijanth Mallah,
All R/o Village- Patloiya, P.S.- Bhagwanpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Forest Case No. 01 of 2015** instituted for the offence under Sections 33, 41, 42 and 52 of the Indian Forest Act, 1927.

In the written report it is alleged that informant received information that accused persons are cutting wood in the forest area, the informant reached there, but the accused persons fled away. The informant recovered one *Tangi* from the spot. The seizure list has been enclosed with the written report in which it is mentioned that *Tangi* was recovered. The informant has mentioned in the written report about different pieces of the logs of wood but the same is not mentioned in the seizure list and it can not be said that logs of wood have been cut by



the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Forest Case No. 01 of 2015, District – Kaimur at Bhabua**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Kaimur at Bhabua**, subject to the conditions as laid down under Section 438 (2) 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 date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper 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)

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