

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6266 of 2018

Arising Out of PS.Case No. -234 Year- 2011 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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Ram Jatan Singh, Son of Late Jago Singh, Resident of Village- Amawan,
P.S.- Rajauli, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

3 17-02-2018 Heard learned counsel for petitioner and learned
counsel representing the State.

Petitioner is seeking anticipatory bail in G.O. Case No.
234 of 2011 for the offences registered under Sections 33, 41, 42
of the Indian Forest Act and 5 of the Bihar Saw Mill & Regulation
Act, 1990.

Learned counsel for the petitioner submits that the raid
on the saw mill in question was not conducted in his presence and,
therefore, he could not be aware of the ongoing proceeding against
him.

Learned counsel for the State submits that from the
seizure list as well as the prosecution report sent by the competent
officer to the Divisional Forest Officer, Nawada it would appear



that the petitioner was called upon in course of enquiry for purpose of sending the prosecution report to place his stand but despite notice he did not appear. It is pointed out that in this case cognizance has been taken under the alleged offences as back as 31.07.2012 and after four years the petitioner has approached the court below for anticipatory bail.

In the facts and circumstances, considering that the petitioner has not moved the court seeking anticipatory bail within a reasonable time and has kept on evading the prosecution, this Court is not inclined to grant anticipatory bail to the petitioner.

The application is dismissed.

If the petitioner surrenders in the court below and prays for regular bail within a period of four weeks from today, the court below shall consider the same in accordance with law.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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