

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49855 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District -
BHABHUA (KAIMUR)

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1. Kanhaiya Sharma S/o Late Bhagwat Sharma,
2. Shambhu Sharma, S/o Kanhaiya Sharma, Both resident of Village-
Suhawal, P.S.- Chainpur, District- Kaimur.

.... Petitioners

Versus

1. The State of Bihar.
2. Ranger, Kalyanpur, Kaimur Forest Commissionery, District Kaimur
(Bhabhua).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-08-2018 Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with
Forest Case No. 29 of 2018 registered for the offences punishable
under Sections 5, 9, 10, 14 of Bihar Saw Mills (Regulation) Act,
1990 and under Sections 41 and 42 of Indian Forest Act, 1927.

Allegation against the petitioners is that they have kept
and used the forest wood in the saw mill of petitioner No.2 and
there is confession of petitioner No.2.

Submission of learned counsel for the petitioners is that
except confession there is nothing against the petitioners and
moreover there is nothing against petitioner No.1.



Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner No.1, named above, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Forest Case No. 29 of 2018, arising out of Criminal report No.9 PM, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned.

So far petitioner No.2 is concerned, he should surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

This application is disposed of with the above observation.

(Vinod Kumar Sinha, J)

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