

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26889 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

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1. Ramesh Kushwaha @ Rameshwar Singh, Son of Murahu Kushwaha,
R/o Village- Kalyanipur, P.S.- Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Forest Department, Patna, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Bhabua Forest Case No. 12 of 2018, registered for offences punishable under Sections 33,41 and 42 of Indian Forest Act (Bihar Amendment Act, 1989) and Sections 27 and 29 Forest Lives (Conservation) Act, 1972.

The petitioner is named in the F.I.R. and the allegation against the petitioner is that the petitioner along with others plugging the Kendu leaves and carrying away by the vehicle to Vanarsi for selling but he was apprehended by the Forest officials, who disclosed the name of the petitioner along with the owner of the vehicle.



Submission of the learned counsel for the petitioner is that the petitioner has not been apprehended on the spot but the name of the petitioner disclosed by the accused persons and the petitioner has falsely been implicated in this case.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua Forest Case No. 12 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioner will not induce any witness or tamper with the evidence.



iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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