

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11914 of 2018

Arising Out of PS. Case No.-25 Year-2017 Thana- PIYAR District- Muzaffarpur

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1. Rajnandan Roy, S/o Moujelal Roy.
 2. Tirth Niwash Roy, S/o Rajnandan Roy.
Both resident of Village Loharkha, P.S. Pear, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest
in connection with Pear P.S. Case No. 25 of 2017 registered for
offences under sections 379 of the Indian Penal Code.

As per allegation, a cement road was under construction,
during measurement, the dispute arose about the Semal tree
standing in the Government land or on a private land. It has
been said that the Semal tree has been uprooted but, the same is
under custody of the Government. An allegation of illegal
cutting of the Semal tree has been made.

Learned counsel for the petitioners has submitted that the
tree has been uprooted by the Contractor not by the petitioners



but, the dispute is whether the tree was standing in the Government land or not and the same will be seen after proper measurement. The petitioner no.1 is the 71 years old.

Looking to the entire facts and circumstances of the case, let the petitioners, namely, Rajnandan Roy and Tirth Niwash Roy, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on 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, Muzaffarpur in connection with Pear P.S. Case No. 25 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J)

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