

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45422 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

- =====
1. Prithabi Singh, S/o Kameshwar Singh, R/o Vill.- Tori, P.S.- Adhaura, District- Kaimur at Bhabua.
 2. Dadan Yadav S/o Shivdash Singh Yadav, R/o Vill.- Digbar, P.S.- Adhaura, District- Kaimur at Bhabua.
 3. Rakesh Kumar S/o Kishun Singh, R/o Vill.- Tori, P.S.- Adhaura, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam. APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners have been in custody since 19.06.2018 in connection with Forest Case No. 33/18 registered for the offences punishable under Sections 33/41/42 of the Indian Forest Act, 1927 (Bihar Amended Act, 1989) and 27 and 29 of the Wild Life Protection Act.

Learned counsel for the petitioners submits that petitioner No. 1 is merely a person who was going on a motorcycle alongside the tractor which was apprehended along with certain forest produce. So far as petitioner No. 2 is concerned



he was riding the tractor in the forest area whereas petitioner No. 3 is the driver on which such forest produce has been recovered. Learned counsel for the petitioner further submits that these petitioners are innocent and the main person who had got the *Kendu* leaves loaded on the tractor which is a forest produce has since absconded and the petitioner No. 3 being merely a tractor driver is languishing in jail. He further submits that petitioner No. 2 was only sitting on the tractor as he wanted to cross the forest area and petitioner no.1 has no role whatsoever in the entire occurrence.

Having considered the entire facts and circumstances and the criminal antecedents of these petitioners are clean, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Forest Case No. 33/2018.

(Anjana Mishra, J)

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