

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21391 of 2019

Arising Out of PS. Case No.-32 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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UMESH PRASAD @ UMESH PRASAD CHAURASIYA, aged about 45
years, Male, Son of Devi Prasad Resident of Village-Sabaithawa, P.S.-
Pokhariya, District - Parsa (Nepal) ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-04-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
30.11.2018 in connection with Forest Case No. 32 of 2018 for
the offences alleged under Sections 9, 27, 31, 38, 41, 39, 44,
49(A) and 49(B) of the Indian Forest Act and Section 51 of the
Wild Life Protection Act.

The allegation upon the petitioner and another
accused is that four small pieces of elephant's tooth, Rs.4,850/-
in Nepali currency and Rs.500/- in Indian currency were
recovered by the Sashastra Seema Bal officials apprehended the
accused persons and handed them over to the forest officials.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and
nothing incriminating has been found from the possession of the



petitioner. He, further, submits that one of the co-accused apprehended along with the petitioner has already been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 18944 of 2019 vide order, dated 28.03.2019, and the petitioner is languishing in judicial custody since more than four months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Forest Case No. 32 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Nilu Agrawal, J)

Shamshad/-

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