

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37758 of 2019

Arising Out of PS. Case No.-28 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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SHYAM SUNDAR PRASAD, Son of Deo Nath Sah, Resident of Village -
Bishrampur, P.S. - Sasaram Muffasil, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 23-08-2019 A supplementary affidavit has been filed on behalf of the petitioner, indicating that when the process under Section 82 Cr.P.C. was not complied, then vide order dated 30.08.2017, the process under Section 83 Cr.P.C. was issued on 20.04.2018 and thereafter from 21.07.2011 to 30.01.2019 orders were passed in Forest Case No.28 of 2011 and accordingly the petitioner is seeking anticipatory bail.

Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Forest Case No.28 of 2011 (Tr. No.385 of 2019) for allegedly having committed the offence under Sections 33, 41 and 42 of the Forest Act.



Learned counsel for the petitioner submits that the though the case is of the year 2011, the petitioner has no knowledge about the same and he got the knowledge only when the process had been issued in January, 2019. It is further submitted that the boulder so recovered had valid *Challan*, but since the tractor had become dysfunctional, the Driver and Khalasi got down from the tractor to take necessary steps for its rectification, but they were not available in the forest at the time when the boulder was so recovered. Learned counsel for the petitioner submits that the petitioner has no criminal antecedents and is willing and ready to co-operate with the investigation and in the trial, as and when required.

Considering the aforementioned facts and circumstances and the nature of allegations and the name of the petitioner has surfaced after a substantive lapse of time, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Chief Judicial Magistrate-IV-cum-Sub-Judge-XII, Rohtas at
Sasaram, in connection with Forest Case No.28 of 2011 (Tr.
No.385 of 2019), subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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