

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40609 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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RAMJEE MEHTA Son of Jagdish Mehta Resident of Village- Baliya, P.S.-
Amba, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Forest Case NO. 25 of 2019, disclosing offences under Sections 5,7,8 and 10 of the Forest Act.

The petitioner was found to be running a Saw Mill without any valid licence. It is alleged in the prosecution Report that when the Forest officials had asked him to stop running the Saw Mill, the petitioner had created nuisance and had continued with the running of the Saw-mill.

Learned counsel appearing on behalf of the petitioner has submitted that though the occurrence is said to have taken place on 15.05.2018, the case came to be registered on 10.01.2019. He further, submits that because of the belated registration of the case, the petitioner should be given the privilege of anticipatory bail. He has also



argued that there is no Saw Mill which has been ever run by the petitioner.

I have perused the prosecution report which is at Annexure-1. It is in correct to say that there has been delay in lodging of the case. Report in Form No. 21A was submitted by the Forest Guard on 16.05.2018 itself.

Be that as it may, considering the gravity of the offence which has serious consequences on the environment, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

This application is rejected.

However, the petitioner is directed to surrender before the Court below within four weeks from today, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present anticipatory bail application by this Court.

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(Chakradhari Sharan Singh, J)

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