

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43570 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- KHUDWA District- Aurangabad

MD. KURBAN Son of Late Abdul Karim Resident of Village- Ramnagar,
P.S.- Khudwan, District- Aurangabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khudwan P.S. Case No. 21 of 2019 for the offence punishable under Sections 420 and 379 of the Indian Penal Code and Section 26(a) and 133 of the Environment Protection Act.

In the light of this Court's order dated 16.07.2019, the petitioner is personally present. He undertakes that he will plant 200 trees and maintain them for five years from the date of plantation, if he is allowed privilege of anticipatory bail.

Allegedly, the petitioner was found running brick kiln without obtaining requisite licence and no objection certificate from the respective departments during the year 2018-19.

Keeping in view the nature of allegation and the undertaking given by the petitioner, this application is allowed.



Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 C.J.M., Aurangabad, in Khudwan P.S. Case No. 21 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

Petitioner shall be required to appear before the Divisional Forest Officer of the area within one week from today and proceed for plantation of trees in an area as may be suggested by the Divisional Forest Officer. It is indicated that if the Court receives any information that the petitioner has failed to maintain the trees planted by him for ensuring proper growth and development, this Court may consider cancellation of bail.

(Chakradhari Sharan Singh, J)

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