

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21672 of 2018**

Arising Out of PS. Case No.-131 Year-2002 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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1. Dinesh Prasad @ Bundel Yadav,
 2. Anil Kumar @ Anil Yadav, Both Son of Ramjee Yadav @ Gaya Yadav, R/o Village- Ghora Katora Giriyaak, P.S.- Giriyaak, District- Nalanda.

... .. Petitioners

Versus

1. The State of Bihar
2. Pramod Kumar, Forester, Ghora Katora Forest Area, Rajgir, P.S.- Rajgir, District- Nalanda.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1
For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

8 16-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 131 (C) 3F of 2002, registered under Section 33 of the Indian Forest Act.

The accusation is that on 18.12.2001, when forest guard along with others reached in the reserved forest of Ghora Katora area then saw both the petitioners were extracting the stones by digging the soil. On seeing the Forest Guard, both petitioners climbed on the hills. On verification, the land in area of 15'X10'X10' was found dugout in reserved forest.



Learned counsel for the petitioners submits that it would appear from the complaint petition that both the petitioners were not apprehended on the spot, rather, the Forest Guard disclosed the name of petitioners mere on suspicion. Further submission is that both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Complaint Case No. 131(C)3F of 2002, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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