

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45047 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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1. Mithlesh Paswan Son of Late Narayan Paswan
 2. Kedar Paswan Son of Late Ramdheni Paswan
Both are residents of Village - Kanchanpur, P.O. - Aroram, P.S.- Deo,
District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioners and learned APP
representing the State.

The petitioners apprehend their arrest in connection with
Forest Case No. 42 of 2018, registered under Section 33 of the
Indian Forest Act.

The allegation against the petitioners is that the
petitioners along with other co-accused persons were trying to
encroach upon the forest land and were making a construction
over the same.

Learned counsel for the petitioners submits that the
allegation against the petitioners is completely false and
baseless inasmuch they were not encroaching the forest land as



the land in question was acquired by the Forest Department and the same was lying vacant. Learned counsel for the petitioners further submits that similarly situated persons have also been granted bail in Cr. Misc. No. 32657 of 2019 on 17.05.2019.

After having heard learned counsel for the parties and taking into consideration the fact that similarly situated persons have been granted bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Forest Case No.42 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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