

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53390 of 2019

Arising Out of PS. Case No.-158 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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1. Manoj Sah S/o Sugriv Sah Resident of Village- Bhagalpur Sohariya, P.S.- Valmikinagar, District- West Champaran.
 2. Jaysindhu Prasad @ Sindhu Prasad @ Sindhu Mahto S/o Reshamlal Mahto Resident of Village- Champapur, P.S.- Valmikinagar, District- West Champaran.
 3. Dukhi Prasad @ Dukhi Mahto S/o Chhannu Mahto Resident of Village- Champapur, P.S.- Valmikinagar, District- West Champaran

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Bimlesh Kumar Pandey
For the Opposite Parties : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
I.F. Case No. 158 of 2017 registered under Sections 2, 35, 27,
29, 31 and 51 of the Wildlife Protection Act.

It is submitted that none has seen the petitioners
cutting the tree. The story propounded in the complaint that one
log of Sal tree was being carried on a *thela* by eight persons is
highly unbelievable. The petitioners have got clean antecedent
and having got roots in the society they are not likely to abscond
or tamper with the evidence.



On the other hand, learned counsel appearing for the State submitted that there is allegation in the prosecution report of cutting a Sal tree and taking away log of the tree on *thela* by eight persons out of which three petitioners were identified.

Considering the nature of allegation and the submissions made at the bar, in the event of arrest or surrender before the court below, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Bagaha, West Champaran in connection with I.F. Case No. 158 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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