

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54285 of 2019

Arising Out of PS. Case No.-7 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Jamun Paswan, Gender-Male, Aged about 49 years, Son of Baurahi Paswan
Resident of Village-Hardeeyan, Police Station-Manpur, District-West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7, Advocate
For the Opposite Party : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 2, 33, 41, 42 and 64 of the Bihar Forest Act,
1927 (Amended-1990) and Sections 2, 27, 29, 31 and 51 of the
Forest Act registered in connection with Forest Case No. 07 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of the alleged illegal cutting and
carrying away a *Shakhua* tree. It is submitted that the petitioner's
name has transpired on the confessional statement of co-accused
Ram Pravesh Biswa except which there is no material to connect the
petitioner with the alleged occurrence. It is submitted that the
petitioner is a differently-abled person and the accusation of carrying
away the cut tree is highly improbable. The petitioner claims clean
antecedents.

4. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Forest Case No. 07 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall be well represented in court on each and every date during trial except as and when directed by the learned Court below to be physically present, and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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