

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61175 of 2019**

Arising Out of PS. Case No.-146 Year-2006 Thana- GOVERNMENT
OFFICIAL COMP. District- West Champaran

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1. SURESH KAZI Son of Mahesh Kazi R/O Village- Naurangia, P.S.- Naurangia, District- West Champaran.
 2. Munna Mahto S/O Manbahali Mahto R/O Village- Naurangia, P.S.- Naurangia, District- West Champaran.
 3. Bansraj Chaudhary @ Vanshraj Chaudhary S/O Late Shiv Mangal Chaudhary R/O Village- Naurangia, P.S.- Naurangia, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 33, 41, 42 of I.F. Act and Section 27, 29 of the W.L.P. Act registered in connection with Trial No. 3620 of 2018 arising out of I.F. Case No. 146 of 2006.

3. It is submitted that the petitioners have been falsely implicated and the accusations are highly improbable, considering that cognizance has been taken more than 11 years after the alleged occurrence in the year 2006. The accusation that the petitioners were making logs of *Sisham* tree having cut the same is not supported from the seizure list as no cutting instruments have been recovered. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners'



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IIInd, Bagaha, West Champaran in connection with Trial No. 3620 of 2018 arising out of I.F. Case No. 146 of 2006, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

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

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

(iii) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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