

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.83316 of 2019**

Arising Out of PS. Case No.-37 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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1. MD. SHAIZY @ LEAQUAT ALI @ MD. SAHAZY Son of Sakil Ahmad Resident of Mohalla- Nagmatiya Colony, P.S.- Kotwali Gaya, District- Gaya.
  2. Md. Qaiser Son of Saifuddin Resident of Village- Panchayatiya Akhara, P.S.- Kotwali Gaya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH  
ORAL ORDER**

2      19-12-2019                      Heard the learned counsel for the petitioners and the  
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Forest case no. 37 of 2019 registered for the offences punishable under Section 9(2) of Wild Life (Protection Act), 1972.

The allegation is regarding the accused persons including the petitioners herein having engaged in hunting Scheduled Birds and upon seeing the forest guards, the accused persons are said to have tried to escape in their Ambassador car but had met with an accident, whereafter they were thrashed by the villages and upon search, one rifle, two airguns, cartridges and bodies of dead Scheduled Birds were recovered.



The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and the fact is that they were mistakenly surrounded by the villagers on the false information that they were child-lifters whereas the fact is that the child sitting in the car, belongs to the petitioner no. 1 herein. It is further submitted that the petitioners were thrashed badly by the villagers and they are still under treatment in the hospital. Lastly, it is submitted that the petitioners are having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Forest case no. 37 of 2019, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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