

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85 of 2020**

Arising Out of PS. Case No.-147 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Bhado Singh Son of Late Dhuni Prasad Singh Resident of Village-
Mahinathpur, P.S.-Korha, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s :		Mr. Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 17-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 33, 41 and 42 of the Indian Forest Act.

Prosecution case, in brief, is that on 23.10.2011 the Forest Officer (Informant) found a Seesam Tree, which was illegally cut and during enquiry the villagers informed that four logs of Seesam tree is lying on the road towards eastern side of the house of the petitioner.

It has been submitted on behalf of the petitioner that the present case is false and fabricated and petitioner has falsely been implicated in this case and he has made accused simply as the petitioner is involved in wooden business. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner and he has no concern with the alleged recovery. It has further been submitted that such informant has been received in the year 2011 and cognizance



has been taken in year 2014 and summons have been issued in year 26.10.2019. The petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Katihar in connection with Offence Report No. 8 of 2011 (CII 147 of 2011) , on the following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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