

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1860 of 2020

Arising Out of PS. Case No.-5 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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1. RAJ KUMAR YADAV Son of Deo Nath Yadav Resident of Village - Nawadih Khurd, Police Station - Chutiya, District - Rohtas.
 2. Sri Kawal Yadav @ Kewal Yadav Son of Deo Nath Yadav Resident of Village - Nawadih Khurd, Police Station - Chutiya, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-01-2020 Heard the learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Forest Case No. 05 of 2014 for the offence punishable under Sections 2 (15), 27, 29, 26(g) of the Wild Life Protection Act and Section 50 of the Indian Forest Act (Bihar Amendment) 1989..

The allegation is regarding the petitioners having found to be driving stone loaded tractor and it is alleged that, that stone had been excavated from the forest.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case. It is further submitted that the petitioners are having a clean antecedent. It is also submitted that there is no question of attraction of the Wild Life Protection Act inasmuch as there is no allegation of illegal



trafficking of animals/ birds etc. mentioned in the schedule to the Wild Life Protection Act. It is further submitted that the fact is that the stone had been taken out while constructing Well under “Manrega Yojna” and to that effect the Mukhiya of the Panchayat has also given a certificate. Lastly, it is submitted that there is no material on record to connect the petitioner with the alleged offence of having excavated the stone from the forest area.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to direct for release of the petitioners on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners, above named, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Sub- Divisional Judicial Magistrate, Dehri-on- Sone in connection with Forest Case No. 05 of 2014.

(Mohit Kumar Shah, J)

Tiwary/-

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