

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4535 of 2020

Arising Out of PS. Case No.-29 Year-2006 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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1. Ramkrishna Deonath @ Ramkrishna Devenath Son of Late Mohan Deonath Resident of Village - Bhedihari Bangali Tola, P.S.- Valmikinagar, District- West Champaran
 2. Vivek Dharami Son of Kartik Dharami @ Kartik Gharami Resident of Village - Bhedihari Bangali Tola, P.S.- Valmikinagar, District- West Champaran
 3. Dilip Halder Son of Devendra Halder Resident of Village - Bhedihari Bangali Tola, P.S.- Valmikinagar, District- West Champaran
 4. Bidhanmali Son of Subodh Mali Resident of Village - Bhedihari Bangali Tola, P.S.- Valmikinagar, District- West Champaran
 5. Atul Sikdar Son of Mukund Sikdar Resident of Village - Bhedihari Bangali Tola, P.S.- Valmikinagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 2, 26 and 23 of the Indian Forest Act, 1927 and Sections 27 and 29 of the Wild Life Protection Act, 1972.

The prosecution case is to the effect that the informant, being a forest guard, on 27.08.2005, during patrolling, reached



at compartment No. M/24 at about 2.00 P.M and found two Shisam tree and Khaira tree being cut by the forest miscreants but as soon as the informant reached there, the accused persons escaped from the scene. Subsequently it was suspected that the petitioners were cutting the trees.

It is submitted by learned counsel for the petitioners that only on the basis of suspicion, the accusation has been made against the petitioners and the petitioners were not apprehended from the spot, and for the alleged occurrence of 27.08.2005, the report was transmitted to the forest officer on 05.09.2005, which was submitted in the Court of learned ACJM on 03.12.2019 and accordingly, the cognizance has been taken. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation and delayed transmission of the prosecution report to the learned Court below, coupled with the fact that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks



from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-III, Bagaha, West Champaran in connection with Tr. No. 2381 of 2019, arising out of Forest Case No. 29 of 2006, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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