

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9190 of 2019

Arising Out of PS. Case No.-97 Year-2008 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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1. BHAGWANJEE MANDAL AND ANR Son of- Jeetan Mandal Resident of Village-Ghanghaur, P.S.- Babhubarhi, District- Madhubani.
 2. Pramod Singh Son of- Ran Nandan Singh Resident of village, P.S. and District-Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-02-2020 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 33,41,42,52/69 of the Indian Penal Code.

There is allegation against the petitioners and other accused persons of cutting of green Babul trees planted on the western bandh.

Learned counsel for the petitioners submits that the petitioners are merely labourer and they were cutting the trees for doing soil work for construction of road as per direction of the contractor. Similarly situated co-accused Jitan Mandal and Gopal Mandal have already been allowed bail by a bench of this Court vide order dated 8.10.2018, vide order passed in Cr.Mis.No. 54948/2018. Petitioners have got no criminal antecedent.



Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Madhubani in GO Case No. 97 of 2008/Tr No.1145/2017, on the following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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