

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10111 of 2020

Arising Out of PS. Case No.-446 Year-2006 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Mohan Bhagat @ Mohan Prasad, aged about 25 years, Male, Son of Jaigobind Bhagat, Resident of Village - Mahuawa, at present Sitakund, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Trial No.1313 of 2018 arising out of Official Complaint No.446 of 2006 registered for the offences punishable under Sections 41, 42 and 52 of the Indian Forest Act and Sections 5, 8, 13 and 14 of Bihar Saw Mill Act.

As per averment of the official complaint, the complainant Forest Extension Officer, Chakia was on patrolling duty along with other forest officials on 08.10.2006 at about 03:00 P.M. and during that course, the complainant found that one saw-mill at village- Sitakund was running illegally. When the complainant and other forest officials reached there, seeing



the forest officials, owner and Mistry of saw-mill fled away. The complainant tried to apprehend them, but both the persons succeeded in fleeing away. In presence of independent witnesses, the complainant got stopped the saw-mill machine and sealed the premises and seized the woods available there and handed over the same to local person, namely, Jay Govind Bhagat on Zimmanama. During the course of inquiry, name of this petitioner-accused Mohan Bhagat has come as owner of said saw-mill.

Learned counsel for the petitioner submits that the petitioner has committed no offence, as alleged and he is innocent and he has falsely been implicated in this case and the allegations, as mentioned in the official complaint are false and concocted. He further submits that the petitioner has no concern with the aforesaid saw mill or the seized materials.

Learned A.P.P. for the State submits that the case has been lodged in the year 2006 but after 14 years, the petitioner has filed the anticipatory bail application. Hence, it is not a fit case for grant of anticipatory bail to the petitioner.

In the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner in



connection with Trial No.1313 of 2018 arising out of Official
Complaint No.446 of 2006 pending in the court of Chief
Judicial Magistrate, East Champaran at Motihari.

(Anjani Kumar Sharan, J)

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