

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 12223 of 2020

Arising Out of PS. Case No.-1 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Tara Mahto Son of Late Thag Mahto Resident of Village- Rajpur, P.S.-
Sahodara, District- West 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.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3.9.2020

4. Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Forest Case no. 1 of 2019 arising out of Offence - Report
no. 500 dated 30.12.2018 registered under sections 33, 41 and
42 of the Indian Forest Act and sections 2, 27, 29, 31 and 51 of
the Wild Life (Protection) Act, 1972.



As per prosecution case, on the tractor being stopped by the informant and others for checking, it is stated that the driver of the tractor managed to jump from his seat and escaped. It is further stated that illegal mining stone was found loaded on the tractor. The case was registered against unknown.

It is submitted by learned counsel for the petitioner that the name of the petitioner transpired in course of investigation. It is further submitted that from perusal of Annexure 2 (report) it would transpire that the petitioner was neither the owner nor the driver of the vehicle in question and it was the owner who was driving the vehicle. It is submitted that the name of the petitioner transpired only to the extent that he was also involved in illegal mining of stone.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the report (Annexure 2) wherein it has been stated that it was the owner who was himself driving the vehicle in question at the relevant time, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Forest Case no. 1 of 2019 arising out of Offence - Report no. 500 dated 30.12.2018



he will 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 learned Chief Judicial Magistrate, West Champaran at Bettiah subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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