

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85207 of 2019

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

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1. Guddu Jaiswal @ Guddu Kumar, Son of Late Satyanarayan Jaiswal @ Shambhu Prasad, Resident of Purani Bazar, Ward No. 3, Narkatiaganj, P.S. Shikarpur, District - West Champaran.
 2. Suresh Mistri @ Suresh Prasad Kushavaha, Son of Bhukhi Prasad Kushavaha, Resident of Purani Bazar, Ward No. 3, Narkatiaganj, P.S. Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 33, 41, 42 of the Indian Forest Act, 1927 and Sections 2, 27, 29, 31 & 51 of Wild Life Protection Act, 1972.

The prosecution case is that the SSB intercepted a tractor bearing Registration No. BR-22F- 5428 but driver of the vehicle managed to escape. The tractor was loaded with stone chips from the reserved forest area. During enquiry, it transpired that at the behest of the petitioners, who are indulged in construction work, the stone chips were being transported



illegally.

It is submitted by learned counsel for the petitioners that the owner of the truck in question, Indrasen @ Indrashan Mahto has been granted anticipatory bail by Co-ordinate Bench of this Court vide order dated 25.04.2019 passed in Cr. Misc. No. 27327 of 2019 on considering the fact that the owner was carrying the boulders from the land which was accumulated during flood. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the prosecution report.

Considering the fact that the thrust of accusation is against the driver and owner of the tractor in question, the owner has been granted anticipatory bail and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, West



Champaran in connection with Forest Case No. 01F of 2019,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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