

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87038 of 2019

Arising Out of PS. Case No.-389 Year-2019 Thana- SIKARPUR District- West Champaran

1. Rahul Kumar Ray @ Rahul Ray Son of Rameshwar Ray
 2. Vinay Kumar Ray Son of Vinod Ray
 3. Vinod Ray Son of Satyanarayan Ray
- All are Residents of Village - Takiya, P.S.- Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey
For the Opposite Party/s	:	Mr.Nitya Nand Tiwary
For the Informant	:	M/s Sanjay Kumar No. 7 and Anant Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

- 2 14-02-2020 Heard learned counsel appearing for the petitioners,

learned Additional Public Prosecutor for the State as well as

learned counsel appearing for the informant.

Petitioners apprehend their arrest in connection with Shikarpur P.S. Case No. 389/2019 registered for the offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code and under Sections 3 / 4 of Indian Forest Act.

Admittedly, all the Sections of the Indian Penal Code inserted in the first information report are bailable in nature and so far as Sections 3 / 4 of the Indian Forest Act are concerned, the same are not applicable because Section 3 and Section 4 of



the Indian Forest Act are not a penal Section, therefore, in my view, this anticipatory bail petition is not maintainable.

Accordingly, this anticipatory bail petition stands disposed of.

However, petitioners are directed to surrender before the court below within six weeks from today and if they do so and seek regular bail, the concerned court shall pass appropriate order on the bail prayer of the petitioners keeping in mind the findings given in this order.

(Hemant Kumar Srivastava, J)

Spd/-

U		T	
---	--	---	--

