

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14956 of 2021

Arising Out of PS. Case No.-369 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

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Anil Kumar Gupta @ Anil Kumar Sah @ Anil Kumar Singh @ Anil, Son of
Sri Manik Chand Sah, Resident of Village- Baijla, P.S.- Sasaram, District-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

6 08-12-2021 The applicant/accused in Crime No. 369 of 2020

registered with Sasaram (Muff.) Police Station for the offences

punishable under Sections 186, 189, 353, 465, 471, 473, 476

and 420 of the Indian Penal Code as well as Sections 33, 41 and

42 of the Indian Forest Act, at the instance of first informant

Lalan Mochi- Forest Officer, by this application is seeking his

release on bail during pendency of the trial.

The learned counsel appearing for the

applicant/accused drew my attention to the FIR and argued

that the first informant who happens to be a Forester has

requested the Police Officer to invoke provisions of Sections

186 and 189 of the Indian Penal Code. The learned counsel

appearing for the applicant further submits that both these



provisions are in respect of bailable offences. He submits that none of the three vehicles are belonging to him.

The learned Additional Public Prosecutor opposed the application by drawing my attention to paragraph 3 of the bail application and contended that the applicant is accused of non-bailable offences.

I have considered the submissions so advanced and also perused the case diary carefully. The offence is a Forest offence. Paragraph 3 of the bail application reads thus;

“That the petitioner is accused in Bikramganj Police Station No. 151 of 2016 was registered for the offence under U/S 341, 323, 353, 504, 120-B of IPC pending in the Court of CJM at Rohtas at Sasaram. Another Sasaram (Muffasil) PS Case No. 4 of 2019 registered for the offence under Section 467, 468 and 379 of the IPC pending in the court of CJM at Rohtas at Sasaram. While Sasaram Town P.S. Case No. 736 of 2020 registered for the offence under Section 465, 473, 474, 476 and 420 of IPC which is pending in the court of CJM at Rohtas at Sasaram. Besides there is four Forest Cases bearing Forest Case No. 32F/16, 33F/16, 27F/17 and 26F/18 all registered for the offence under Section 33, 41 and 42 of the Forest Act and all four forest case are pending in the court of learned CJM at Rohtas at Sasaram.

The offence alleged against the applicant is against the environment. Prima facie there is material to connect the applicant to the crime in question and considering the nature



of the offence and the criminal antecedent of the applicant, no case for grant of bail to the applicant/accused is made out. Application is rejected.

The applicant to remove all office objections forthwith and the Registry to issue certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

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