

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19049 of 2021**

Arising Out of PS. Case No.-41 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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PREM MUKHIYA @ PREM BIN @ PREMCHANDRA BIN S/O SRI
SHANKAR BIN RESIDENT OF VILLAGE MATAURA TOLA, RAMPUR,
P.S-LAUKARIYA, 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. Bal Mukund Pd. Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 17-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 33, 41 and 42
of the Indian Forest Act.

As per the prosecution case, the petitioner was caught
with 65 cane baskets and 3 cane bundles by the RPF,
Narkatiaganj at Narkatiaganj Railway Platform while he was
carrying the same on the train ie Awadh Express. Information
was given to the Forest Department and the FIR registered.

It is submitted by learned counsel for the petitioner
that the allegations as leveled in the FIR are false and
concocted. No incriminating article has been recovered from his



possession. Referring to the sentence which may be imposed under sections 33, 41 and 42 of the Indian Forest Act, it is submitted that the petitioner has already remained in custody for over 11 months. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the petitioner has criminal antecedent as mentioned in paragraph no.3 of the petition.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the period in custody, the petitioner is directed to be enlarged on bail in connection with Forest Case no. 41 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Partha Sarthy, J)

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