

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29554 of 2020

Arising Out of PS. Case No.-219 Year-2019 Thana- DHURAIYA District- Banka

1. ARJUN RAI Son of Late Santoshi Rai
2. Gopal Rai @ Gopal Ray Son of Ugan Rai @ Unan Ray both Resident of Village- Basbitta, P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 379/34 of the Indian Penal Code.

The allegations against the petitioners are all cutting of trees from Government Land (Gairmajarua Aam). The informant has alleged in the FIR that accused persons illegally cut down trees of Sisam, Neem and Sagwan which were standing over Gairmajarua Aam land which exclusively belongs to Government.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in this case. He submits that no such



occurrence has taken place as the house of the petitioners situated in the village which is far away from the so-called place of occurrence and the petitioners have no concerned with the said Gairmajarua land. He submits that there is no recovery of the stolen trees from the house of the petitioners. He further submits that petitioners bear no criminal antecedent as stated in para-2 of the bail application.

Learned APP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Banka in connection with Dhoraiya P.S. Case No. 219 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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