

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7740 of 2021

Arising Out of PS. Case No.-17 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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MAHAVIR URAON Son of Late Mahadev Uraw Resident of Village -
Padariya, P.S.- Manpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 33, 41 & 42 of the Indian
Forest Act and under Section 2, 27, 29, 31 and 51 of Wildlife
Protection Act.

The prosecution case, in brief, is that 43 pieces of
Khaira wood is said to have been recovered from the possession



of the petitioner and the petitioner was apprehended.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to mechanism of the forest officials. As a matter of fact, petitioner is a tribal and forest dweller lives in village Padariya within the Manpur Forest area who was moving towards the way where raiding party was waiting for the persons about whom they had got information and when petitioner came there, informant stopped him and asked reason of his moving around to which the petitioner replied but the informant apprehended the petitioner on suspicion and started misbehaving. When the petitioner expressed his annoyance and disclosed his mind to complain to higher officials they just to justify own fault, the forest officials of the raiding party, falsely implicated the petitioner in the present case. The petitioner was not seen cutting, carrying, concealing or even holding the alleged Khaira wood nor even it is probable that one person can carry 43 logs of Khaira wood. The petitioner has no criminal antecedent and has been languishing in custody since 13.06.2020.

Learned APP for the State opposed the bail petition.



Considering the facts aforesaid, the above named petitioner is directed to 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 Court below where the case is pending in connection with Forest Case No.17F/2020.

(Anjani Kumar Sharan, J)

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