

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1776 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Mathura Ram son of Sri Dindyal Ram Resident of Village- Premnagar, P.S.-
Sahodara, Distt- 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
For the Opposite Party/s : Mr.R.B.Roy Raman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Forest Case No. 27 of 2020, arising out of Offence Report No. 1453 dated 22.08.2020, registered for the offence under Sections 2, 33, 41, 42, 64 of the Indian Forest Act and Sections 2, 27, 29, 31 and 51 of Wildlife Protection Act, 1972 .

As per the prosecution case, on 22.08.2020 in the night, in course of patrolling, the informant reached near Sector S/74 and heard sound of gossiping and thereafter, proceeded towards that direction and on chase, this petitioner was arrested, but other persons managed to escape. It is further alleged that the patrolling party proceeded at the place of occurrence and found one *seisam* tree, which was divided into four pieces.



It is submitted on behalf of petitioner that petitioner was coming home after attending the call of nature, but he was apprehended on suspicion and has falsely been implicated in this case. No incriminating article has been recovered from the possession of petitioner. It is further submitted that Sections 2, 27, 29, 31 and 51 of Wildlife Protection Act are not applicable in this case. Petitioner has got clean antecedent and he is in custody since 23.08.2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Forest Case No. 27 of 2020, arising out of Offence Report No. 1453 dated 22.08.2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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