

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2938 of 2021

Arising Out of PS. Case No.-68 Year-2002 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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KARU KODA S/O Jitan Koda Resident Of Village - Garauni, P. S. - Barahat,
District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-07-2021 Heard Mr. Prakash Mahato, learned Advocate
for the petitioner and Mr. Jai Narain Thakur, learned APP
for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 68C-
2/2002 dated 09.11.2001 in which cognizance has been
taken under Sections 26, 41 and 42 of the Indian Forest
Act.

It has been submitted on behalf of the
petitioner that according to the accusation, the petitioner
is alleged to have run away at the time of raid which was
conducted for apprehending persons who were
unauthorizedly engaged in mining.

Learned counsel for the petitioner has
submitted that his name was provided by some local



persons without there being any basis or reason for the same.

Unfortunately, since the petitioner was not aware of this case, he did not surrender to the process of law earlier, even though, the case is of the year 2002. Without issuing any process and observing any formality as mandated under the law, the petitioner was declared an absconder. That order was challenged by the petitioner before the Revisional Court and the order declaring the petitioner an absconder was set aside. It is precisely for this reason that the petitioner has approached the Court for grant of anticipatory bail now after such a long time.

After having heard the learned counsel for the petitioner and having perused the records of this case, this Court is inclined to grant anticipatory bail to the petitioner.

Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with



Complaint Case No. 68C-2/2002, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, it is cautioned that now the petitioner has come to know about the existence of this case, he ought to participate in the trial. Not doing so, would render the bail granted to him liable to be cancelled.

(Ashutosh Kumar, J)

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