

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26557 of 2021

Arising Out of PS. Case No.-430 Year-2020 Thana- GHORASAHAN District- East
Champaran

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1. SHIV SHANKAR PRASAD @ SHIV SHANKAR PRASAD JAISWAL S/o Late Jagdish Prasad Jaiswal Resident of Village- Jonwa, P.O. and P.S.- Jhorokhar, District- East Champaran.
 2. ASHOK PRASAD @ ASHOK PRASAD JAISWAL S/o Late Jagdish Prasad Jaiswal Resident of Village- Jonwa, P.O. and P.S.- Jhorokhar, District- East Champaran

... Petitioners

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THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Guriya Nisha, Adv.

For the Opposite Party : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

4 09-02-2022 Heard the parties through video conferencing.

The petitioners seek bail in anticipation of their arrest in connection with Ghorasahan (Jharokhar) P.S. Case No. 430 of 2020 instituted for the offences under Sections 379/34 of the Indian Penal Code and 33, 41 and 42 of the Indian Forest Act.

Taking into consideration the nature of allegation and the complaint filed by the petitioners against the Ward Member for misuse of Government money, there is likelihood of false implication as no one has seen the petitioners cutting the green tree as alleged. Learned counsel has taken this Court to the complaint filed by the petitioners and also to the contents of the case diary, I am satisfied that prima facie the case appears to be false.

I am inclined to grant benefit of anticipatory bail to the petitioners and in the event of arrest they shall be released on bail subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Sanjeev Prakash Sharma, J)

Shamshad/-

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