

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17452 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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DEVLAL URAON S/o Sidhu Uraon @ Sudhu Uraon Resident of Village-
Hasti Bairiya, P.S.-Matiyaria, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Sections 2,9, 27, 29, 37 and 51 of

the Wild Life (Protection) Amendment Act.

Allegedly, leopard was found in dead condition and

the petitioner confessed his guilt to have poisoned some other

wild animal which was eaten by dead leopard.

The main submissions advanced by the learned

counsel for the petitioner are that FIR was lodged against

unknown person, later on petitioner was made accused by the



forest officials, as per prosecution's allegation petitioner simply accepted to have laid poisonous eating material at some places in forest area for the purpose of killing wild animals like pig which was eaten by some wild animal and said animal was eaten by leopard which subsequently died hence petitioner was not directly responsible for the death of leopard. Further submission is that the petitioner has been languishing in jail since 12.01.2022 and he belongs to Scheduled Tribes having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances of the case as well as considering petitioner's custody period, his clean antecedent, in my view, a lenient approach may be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in Forest Case No. 02F/2022 on the following conditions:-

(1) Petitioner shall co-operate 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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