

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24583 of 2022

Arising Out of PS. Case No.-130 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Dharmendra Kumar @ Dharmendra Kumar Singh Son Of Surendra Kumar
Singh @ Surendra Kumar Resident Of Village - Muzaffarpur, P.S.- Sahar,
District - Bhojpur At Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Babu Nandan Prasad
For the Opposite Party/s :	Mr.Prem Kumar Jha
For the Mines Depart.	Mr. Naresh Dikshit
	Mr. Kalpana

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2022 Heard learned counsel for the parties.

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

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 33, 41 and 42 of the Forest Act.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that alleged occurrence has taken place on 13.11.2016 and the prosecution report in this case has been submitted on 03.03.2021 after delay of more than four years. He submits that there is general and omnibus allegation



levelled against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and counsel for the mines oppose the prayer for bail and submit that earlier the petitioner has moved this Court for quashing of the said matter but this Court vide order dated 08.01.2019 passed in Cr.W.J.C. No. 24 of 2017 has rejected the said petition.

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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/successor court in connection with Forest Case No. 130 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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