

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43401 of 2022**

Arising Out of PS. Case No.-33 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Manoj Kumar Sah Son Of Sri Ambika Sah @ Ambika Prasad Sah @ Ambika
Sao Resident Of Village- Pipardih, P.S- Kandi, Dist- Garhwa (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
	:	Mr. Mithilesh Kr. Singh, Advocate
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned Senior counsel for the petitioner and

the learned APP for the State.

Petitioner seeks regular bail in connection with Forest

P.S. Case No. 33 of 2022 registered for the offences punishable

under Sections 39 (iii), 42 (2), 48, 48 (A), 49, 49 (B), 49 (C) (7)

of the Wildlife Protection Act.

As per the Prosecution, dried leather of wild animal

namely Pangolin was recovered from the possession of the



petitioner.

The main submissions advanced by the learned Senior counsel Mr. Krishna Pd. Singh appearing for the petitioner are that the alleged recovery of the leather of the Pangolin is stated to have been made at 9 A.M at a public place but no independent person was made a witness to the search and seizure and all the witnesses named in the seizure list are officials of forest department and from the seizure list it is also not clear that among the accused persons from whose possession the recovery of the prohibited leather of the prohibited wild animal was recovered and in this regard the seizure list is completely vague.

Learned APP Mr. Raj Kishor Singh appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the petitioner's clean antecedent and also the fact that all the witnesses shown in the seizure list are officials of the forest department who are to be examined in the trail of the petitioner's case and also taking into account the petitioner's custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, 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 concerned Court in connection
with Forest P.S. Case No. 33 of 2022.

(Shailendra Singh, J.)

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