

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69708 of 2021

Arising Out of PS. Case No.-49 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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1. Budhan Mahto Son of Late Puran Mahto Resident of Village - Siswa Saraiya, Post office - Ojhawalia, P.S.- Bairia, District - West Champaran.
 2. Chandrika Gaddi Son of Late Mahngu Resident of Village - Siswa Saraiya, Post office - Ojhawalia, P.S.- Bairia, District - West Champaran.
 3. Kazim Gaddi Son of Roj Gaddi Resident of Village - Timulia Tola, P.S.- Bairia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Complaint (Forest) Case No. 49 of 2014 corresponding to Trial No. 338 of 2018, registered for the offences punishable under Section 2, 33 of the Indian Forest Act and sections 2, 27, 31, 32 and 51 of Wild Life Animal Protection Act.

As per the complaint case, petitioners are alleged to have uprooted pillars fixed between the forest boarder and orchard of the petitioner and 25 decimal of land of forest department was encroached by the petitioners and others. The alleged land has been declared as sanctuary in spite of that petitioners with the help of their associates encroached the land



of forest department.

It is submitted that from bare perusal of complaint petition, it would be apparent that there is land dispute between forest department and co-accused Anil Kumar Motani and petitioners are labourers of Anil Kumar Motani. Petitioners have got no concern either with the land of forest department or with the land of Anil Kumar Motani who has already been granted bail by this Court. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Complaint (Forest) Case No. 49 of 2014 corresponding to Trial No. 338 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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