

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5573 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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KAMLESH SAO @ KAMLESH KUMAR Son of Late Mungeshwar Sao R/o
simri P.S- Maigra, Dist- gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Mohan Das, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the petitioner and

the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Forest case no. 07 of 2022, registered
for the offences punishable under Sections 5, 7, 9, 10 of the
Bihar Saw Mill Act and Sections 33, 41, 42 of Indian Forest
Act.

The case of the prosecution in brief, according to
the informant, who is the Forest Range Officer, Dumariya,
Imamganj, is that on 10.01.2022 at about 4.30 pm, he got a
secret information that the petitioner is running a saw mill
illegally, whereafter he went at the alleged place of occurrence
and conducted a raid, however, the petitioner fled away,
nonetheless, 15 kg of saw dust was recovered from the alleged



place of occurrence.

The learned counsel for the petitioner submits that petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that Section 100 Cr.P.C. has been violated while preparing the seizure list, hence, the entire accusation is fake.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Sherghati, Gaya in connection with Forest case



no. 07 of 2022, subject to the conditions as laid down under
Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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