

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19073 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- RAJEPUR District- East Champaran

PAWAN KUMAR CHAUDHARY S/O GOPAL CHAUDHARY RESIDENT
OF VILLAGE- MAHAMMADPUR MAJHAULIYA, P.S- RAJEPUR,
DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 504, 506/34 of the IPC
and 33 of the Indian Forest Act.

As per the prosecution case, the F.I.R. named accused
persons including the petitioner were cutting green trees from
the Government land, which were planted under scheme of Jal-
Jeevan Hariyali and when the informant and others prevented
them from doing so, the accused persons abused them and
further a scuffle took place between both parties.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Two co-accused were apprehended on the spot and have been granted bail by the learned court below itself. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Rajepur P.S. Case No.10/2021 (G.R. Case No.244 of 2021), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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