

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23202 of 2023

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

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SHAKUNTALA DEVI W/o Rajendra Prasad Resident of Village-Sikaria,
P.S.-Kutumba, District-Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 39(iii),
42(2), 48, 48(A), 49, 49(B), 49(C)(7) of the Wild Life
(Protection) Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 1.700 kg of Pangolin Scale from the
bag of Manoj Kumar Sah.

4. Learned counsel for the petitioner submits that the
petitioner was not apprehended at the spot, as such nothing was
recovered from her conscious possession and she came to be



implicated based on the confessional statement of Manoj Kumar Sah in police custody which does not have any evidentiary value. It is next submitted that petitioner is aware that Pangolin is an endangered specie and the allegations are serious, it is further submitted that petitioner is an *Ex-Mukhiya* and at the instance of her political rivals, she has been implicated at their instance by Manoj. It is next submitted that petitioner will not abscond rather will co-operate in the investigation and present herself as and when required by the Investigating Officer of the case for eliciting the truth.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Forest Case No. 33 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating or is not presenting herself, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be also sent to the concerned Police Station through the learned Trial Court.

(Satyavrat Verma, J)

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