

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26385 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- PIPRAKOTHI District- East Champaran

1. SALAMGHIR KHAN @ CHAND KHAN @ SALAMGIR KHAN Son of Late Sahjid Khan Resident of village - Kanth Chapra, P.S.- Pipra, District - East Champaran.
2. Bijali Rai @ Bijuli Rai Son of Daroga Rai Resident of village - Khanpur, P.S.- Pipra Kothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-07-2023 At the outset, learned counsel for the petitioners submits that petitioner no. 1 namely Salamghir Khan @ Chand Khan has been arrested and as such, he seeks permission to withdraw this petition, so far as petitioner no. 1 is concerned.

2. Accordingly, in respect of petitioner no.1, this petition is dismissed as withdrawn.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner namely Bijali Rai apprehends his arrest in a case registered for the offence under Sections 379, 353, 332/34 of the Indian Penal Code and Section 41, 42 of the Indian Forest Act, 1989.



5. It is alleged that this petitioner alongwith co-accused Salamghir Khan and other 6-7 unknown persons forcibly took away seized tractor loaded with wood of Sirish and Pipal tree, from the informant, who is Forest Officer.

6. It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case only because he is close associate of ex-Mukhiya (co-accused Salamghir Khan). Petitioner is neither owner nor driver of the alleged tractor and has got no concern either with said tractor or seized woods. Petitioner claims clean antecedent.

7. Learned A.P.P. for the State has opposed the bail petition.

8. Considering the aforesaid facts and circumstances, let the petitioner namely Bijali Rai @ Bijuli Rai, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Pipra Kothi P.S. Case No. 11 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. The anticipatory bail application is, accordingly,



disposed of.

(Prabhat Kumar Singh, J)

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