

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31198 of 2023

Arising Out of PS. Case No.-67 Year-2015 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Rohtas

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KALAMUDDIN KHAN S/O KABUDIN Resident of Village- Baldihri, P.S.-
Haidernagar, District- Palamu, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 33, 41 and
42 of the Indian Forest Act.
3. The informant alleges that a tractor loaded with
stone chips was apprehended and the driver fled.
4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is aged about 75
years and has been falsely implicated in the present case being
owner of the tractor and was completely unaware that the driver
of the tractor would misuse the vehicle in the manner as alleged
in the FIR. It is next submitted that offence is of the year 2015



and cognizance was taken after eight years based on a complaint filed by the Forest Department i.e., Complaint is dated 25.07.2015 and it was sent to the Court on 21.10.2015. It is also submitted that petitioner till 75 years has remained a person with clean antecedent and all of a sudden has been made a criminal as the present FIR came to be instituted.

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 his 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. 5,000/- (Rupees Five 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 P.S. Case No. 67 of 2015 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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