

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27418 of 2023

Arising Out of PS. Case No.-49 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. Munna Kumar @ Munna Singh Son Of Late Janardan Singh R/O Village- Sakardas Nawada And At Present Village- Majhauri, Both P.S.- Wazirganj, District- Gaya
 2. Ajay Pandey @ Bhim Pandey Son Of Late Keshar Pandey R/O Village- Majhauri, P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 29-08-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 33(1-b), 41 and 42 of Indian Forest (Bihar Amendment) Act, 1989.

3. As per the prosecution case, allegation against the petitioners is of illegal mining of stone chips, which comes under forest land.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioner no. 1 is made accused in the present case only because he is the son of the registered owner of the said



Tractor. Learned counsel for the petitioners submits that the petitioners are ready to deposit the loss amount i.e. Rs. 60,000/- in the concerned Department. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Forest Case No.49 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below shall accept the bail bond of the petitioners after satisfying himself that the petitioners have deposited Rs. 60,000/- in the concerned Department.

(Anjani Kumar Sharan, J)

anand/-

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