

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34810 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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1. Nandu Sah Son Of Late Dularchand Sah Resident Of Village-Tumkariya,
Police Station-Bariya, District-West Champaran
 2. Hiranman Chaudhary Son Of Bacha Chaudhary Resident Of Village-
Tumkariya, Police Station-Bariya, District-West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioner seeks
permission to withdraw this application with regard to petitioner
no. 1 submitting that during pendency of this application the
petitioner no. 1 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with regard to
petitioner no. 1 is dismissed as withdrawn.

5. Now, this application is being heard only with
regard to petitioner no. 2.

6. Heard learned counsel for the petitioner and



learned APP for the State.

7. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 2, 27, 29, 33, 34A, 50, 51 and 66A of the Indian Forest Act and Section 2, 27, 29, 51 and 52 of the Wild Life Protection Act.

8. The allegation against the petitioner is of digging pond in protected area of forest land in Udaipur Wild Life Sanctuary.

9. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific allegation against the petitioner. He submits that the petitioner is working in his field at the time of alleged incident and he was falsely been implicated in this case by the forest department officials because he uses to feed his pets in forest. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

11. Considering the facts and circumstances of the case, 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 Forest Case No. 74 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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