

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58111 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- DHAKA District- East Champaran

1. CHANDRA BHUSHAN PRASAD JAISWAL S/o Late Paras Prasad
Resident of Village- Barawa, P.S.- Dhaka, Distt- East Champaran.
2. ADARSH JAISWAL Son of - N/A Resident of Village- Barawa, P.S.-
Dhaka, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379/34 of the Indian Penal Code.

The allegation against the petitioners is that they have cut a green *kadam* tree from a school campus and also took some log of tree on a tractor.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits



that the petitioner no.1 has given his own land to the state government as a donation on which the said school is situated. There is a public road near the school campus, and the alleged tree was situated on the land of the petitioners which obstructed the road and as such the villagers requested to the petitioners to cut the said tree and as such the petitioners have cut the same. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

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 court below where the case is pending/Successor Court in connection with Dhaka P.S. Case No.127 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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