

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56422 of 2023

Arising Out of PS. Case No.-95 Year-2020 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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Mukesh Kumar S/O Vijay Saw R/O Tarwan, P.S- Wazirganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Sinha No.1, Advocate
For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-08-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Forest Case No.95 of 2020, registered for offences under Sections 5 and 14 of the Bihar Saw Mill Act, and Sections 41 and 42 of the Forest Act.
3. The allegation is regarding the informant and other forest officials having conducted a raid at the saw mill of the petitioner, whereupon the accused persons, including the petitioner herein, and the owner of the saw mill had fled away, however, upon search, wood was recovered.
4. The learned counsel for the petitioner



has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case, however he is on bail in the said case. The learned counsel for the petitioner has also submitted, by referring to paragraph no.7 of the present petition that the saw mill in question and the seized articles do not belong to the petitioner and he has been falsely implicated in the present case.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that it is the categorical averment of the petitioner that the saw mill does not belong to him, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner



is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Forest Case No.95 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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