

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57195 of 2022**

Arising Out of PS. Case No.-108 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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1. ALOK KUMAR Son of Late Jay Kumar Yadav R/V- Shankarpur, P.S- Muffasil, Dist- Munger
 2. Shyam Yadav @ Shyam Kumar @ Shyam Kumar Singh Son of Deo Nandan Singh R/V- Monga Bigha, P.S-Sonbhadra Bansi, Suryapur, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-01-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to
remove the defects within three weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 33, 41 and 42
of the Indian Forest Act, 1927 Bihar Amendment Act, 1989.

As per the F.I.R., petitioners were involved in illegal
cutting of wood and the same has been carried by them.

Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case. He submits that the said information was given to the Forest
Department Araria by the S.H.O. Tarabari Police Station, upon



which the staffs of forest came and proceeded for further action. He further submits that no offence against the petitioners as no any kind of recovery either in conscious or constructive possession has been found against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the petitioners are also involved in this case, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail in connection with C.C. Case No.108/2022. Accordingly, their prayer for anticipatory bail is hereby rejected.

However, if the petitioners surrender before the learned Court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned Court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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