

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61026 of 2022**

Arising Out of PS. Case No.-152 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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NAKUL SAH @ NAKUL Son of Late Jiblal Sah R/o Village - Dalnidih, P.S.-
Chakai, District – Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 05-04-2023 Heard both sides.

The petitioner apprehends his arrest in connection with
Case No.152C2/2018, registered for the offences punishable under
Sections 33, 41 and 42 of the Indian Forest Act.

The prosecution case, in brief, is that on 03.10.2017, the
informant made inquiry and he found that 10 accused persons
named in the prosecution report have encroached the forest land
and damaged the pillars of Forest Department. It is also alleged
that the accused persons were ploughing the forest land relating to
plots no.729, 730 and 731, area 1.60 acres. The Forest Guard gave
petition to D.F.O. for prosecution against the accused persons
including this petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. The petitioner has got one criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is land dispute between the parties. Learned counsel for the petitioner submits that the petitioner has got no concern with the land of the forest department.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the land belongs to the Forest Department.

Considering the fact that dispute between the parties is civil in nature, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jamui in connection with Case No.152C2/2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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