

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69423 of 2022

Arising Out of PS. Case No.-246 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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1. GUDDU RAM S/O Kewal Ram R/O Village - Kailash Nagar, Bagaha, P.S- Pathkauli Bagaha, District- West Champaran
 2. Mahendra Ram S/O Late Baharasi Ram R/O Village - Kailash Nagar, Bagaha, P.S- Pathkauli Bagaha, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 33, 41, 42 of the Indian Forest Act.

As per the prosecution case, five Shisham wood allegedly cut from the forest of Madanpur have been recovered from a pick up van of which petitioner No.1 is owner and petitioner No.2 is driver.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that petitioner No.1 has been made accused in this case only because of he is owner of the



vehicle but the vehicle was hired by petitioner No.2. It is next submitted that petitioner No.2 is driver of the vehicle and he was only following the instructions of the owner of the vehicle.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that petitioner No.1 has got four criminal antecedents of similar nature and he appears to be habitual offender.

In that view of the matter, prayer for anticipatory bail of petitioner No.1 is refused.

Considering the facts of the case and nature of accusation against the petitioner No.2, let the petitioner No.2, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection with I. F. case No. 246/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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