

Arising Out of PS. Case No.-153 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Jamui

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam,APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-11-2023

1. Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Case No. 153C2 of 2023 registered for the



offence(s) punishable under Section(s) 33(1) G, 41 of Indian Forest (Amendment) Act, 1989.

3. The main submissions advanced by the learned counsel for the petitioners are that the allegation made in the complaint filed by the forest department against the petitioners is completely false, in fact, at the alleged places the petitioners and their ancestors have been residing for more than 200 years and there are several houses belonging to them and the petitioners are *khatiyani raiyat* of the land in question upon which the forest department is claiming its right and the rent receipt is also being issued in favour of the petitioners by the State Government and the photo copy of the said rent receipt has also been filed as Annexure- P/2 series and in respect of the alleged occurrence, the forest department lodged Sono P.S. Case No. 267 of 2023 with the same nature of allegation and thereafter filed complaint case also in the form of prosecution report against the petitioners.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and the nature of allegation and also, the defence of the petitioners discussed above, this court is inclined to accept their anticipatory bail



prayer. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Case No. 153C2 of 2023 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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