

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73425 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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1. Ekram Mahto Son Of Somal Mahto R/O Vill - Dhokari Done, P.S. - Gobarhiya, Distt. - West Champaran
 2. Shivdatt Mahto Son of Lalchan Mahto R/o vill - Dhokari Done, P.S. - Gobarhiya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The Petitioners are apprehending their arrest in connection with Indian Forest Case No. 106 of 2023 dated 12.06.2023 registered for the offences punishable under Section 33 (B) of the Wild Life Protection Act and section 2, 27, 29, 31, 50 and 51 of the Indian Forest Act.

4. As per the prosecution case, the petitioners are loading sand on the tractor trailer on the date and time of the occurrence and on seeing the patrolling party, co-accused persons fled away. The patrolling party identified the accused



persons in the light of torch and the tractor was seized.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. No case is made out under section 33(B) of the I.F.A and section 2, 27, 29, 31, 50, 51 of Wild Life Protection Act against the petitioners. The petitioners have no criminal antecedents and they are owner and driver of the recovered tractor.

6. Learned A.P.P for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, be released on anticipatory bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Bagaha, West Champaran in Indian Forest Case No. 106 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Chandra Prakash Singh, J)

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