

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76958 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Bhulan Sah S/O Biltu Sah Village- Bairiya, Ps. Ramgarhwa, Dist. East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 9, 11, 12, 39, 40, 40(A), 41, 42, 42(A), 43, 44, 48, 48(A), 50, 51, 58(c), 58(i) of the Wild Life Protection Act. However, cognizance has been taken for the offence under Section 51 of the Wild Life Protection Act.

As per allegation in the FIR, informant, being Forest Guard-cum-I/C Forest Ranger, Raxaul, conducted



raid at the herbal shop of co-accused and recovered several organs of wildlife animals. It is further alleged that petitioner along with other co-accused persons, present in the shop, were arrested.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no independent witness of the alleged seizure. There is no FSL report or chemical report available on the record. It is further submitted that petitioner has no concern with the seized articles. Moreover, the petitioner is languishing in judicial custody since 15.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Official Complaint Case No. 39 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul, Motihari.

(Sunil Kumar Panwar, J)

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