

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7183 of 2024

Arising Out of PS. Case No.-38 Year-2022 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Aurangabad

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Anil Kumar @ Anil Singh @ Anil Kumar Singh Son Of Kameshwar Singh
Resident Of Village- Raghunathpur, P.S- Badem (O.P), Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Birendra Singh, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Forest Case No. 38 of 2022, registered for the offences punishable under Sections 41 and 42 of the Indian Forest Act and Sections 7, 8, 9 and 12 of Bihar Kastha Chiran (Viniyaman) Act, 1990.

3. Allegation against the petitioner is that he was involved in running of Saw Mill illegally in the campus of Raghunathpur. The accused used to cut down the green trees for the use in his Saw Mill and no paper was produced regarding the said purpose.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has been falsely implicated in the present case. Learned counsel for the petitioner further submits that he is ready to deposit the fine amount as prescribed under the Forest Law subject to the result of the case.

4. In view of the aforesaid, the petitioner is directed to deposit the fine amount before the concerned Forest Officer before furnishing bail bond and he shall produce the details of the deposit fine amount at the time of furnishing bail bond.

5. Learned APP for the State has no objection in this regard.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Forest Case No. 38 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) That the petitioner shall produce the details of the fine amount issued by the Forest Officer at the time of furnishing



bail bond.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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