

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12372 of 2024

Arising Out of PS. Case No.-85 Year-2019 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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RAMDAHIN MANJHI SON OF PRIT MANJHI @ AMRIT MANJHI
RESIDENT OF VILLAGE - NAHAWATI (PIYAR), P.S. - ATRI, DISTRICT -
GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-03-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Forest Case No. 85 of 2019 registered under Sections 33(1)(c) and 63 of the Indian Forest Act.

3. As per the prosecution report lodged by Forest Department the petitioner has allegedly encroached upon the forest land and is residing there for about 20-30 years. It has also been alleged that petitioner along with other persons are constructing a temporary road 100” length x 8” width in the forest area.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has no concern with the forest land. The petitioner is also not having any claim over the forest land and he was not engaged in the filling of soil



for constructing temporary road. The petitioner is having no criminal antecedent. He submits that punishment under Section 33(1)(c) of the Indian Forest Act is six months and under Section 63 of the Indian Forest Act maximum punishment is two years.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that maximum punishment is two years under Section 63 of the Indian Forest Act, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st Class, Gaya/ court concerned in connection with Forest Case No. 85 of 2019 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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