

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13499 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

=====

PRABHU RAM S/O- LATE SITARAM RAM R/O- VILLAGE- GODAM
TOLA LAKSHMIPUR, P.S.- VALMIKI NAGAR, DIST.- WEST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Indian Forest Case No. 36 of 2023 for the offence
registered under sections 2, 9, 29, 31, 39 and 51(1) of the Wild
Life Protection Act lodged on 10.02.2023 by the informant,
Shashi Ranjan Kumar.

3. As per the prosecution story, the informant-
Incharge Forester alleged that he got information that in a sugar
cane field, the dead body of a tiger has been covered with soil.
Upon visiting there, the dead body was found and the locals
informed that the petitioner and the other accused persons to
save their sugar cane field have used live electric wire and the



tiger came in its clutch, causing the death.

4. As per the learned Sessions Judge order, subsequently, the ten pegs of bamboo along with 1 kg. of iron wire were recovered from the house of the petitioner which found reason for denial of his anticipatory bail.

5. Learned Counsel for the petitioner submits that categorical statement has been made by the petitioner in paragraph 10 which read as follows:-

“10. That it is important to mention here that it is wrongly mentioned in the bail rejection order that 10 pegs of bamboo alongwith one kg. of bare iron wire were recovered from the house of the petitioner when reality is that nothing has been recovered from his house of the petitioner and the house of the petitioner is never searched by the Forest Department and this facts is also not mentioned in the written application.”

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that the order of the learned Sessions Judge clearly shows that there has been recovery of iron wire and bamboos used to barricade the field from the house of the petitioner.

7. Considering the observation of the learned Sessions Judge, this Court is not inclined to extend him privilege of



anticipatory bail, which is accordingly rejected.

8. If the petitioner surrenders before the Court within four weeks and seek bail, the Court shall look into this aspect as contained in paragraph 10 and if the same is found to be correct, shall pass an appropriate order accordingly.

9. Cr. Misc. No. 13499 of 2024 stands disposed of.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

