

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9355 of 2024

Arising Out of PS. Case No.-120 Year-2022 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Ram Ishwar Panjiyar @ Rameshwar Panjiyar S/O Rusan Panjiyar R/O
Village- Jigna, P.S- Manpur, Distt.- West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, App

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Bimlesh Kumar Pandey, learned counsel

appearing on behalf of the petitioner and Mr. Narendra Kumar

Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Forest Case No. 120 of 2022 registered for the offence(s)
punishable under Sections 2, 9, 27, 29, 31, 39, 51 of the Wild
Life (Protection) Amendment Act, 1972.

3. As per the allegation made in the FIR, certain
articles were recovered from the agricultural filed of the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that the provision of Section 2, 9, 27, 29,
31, 35, 39 and 51 of the Wild Life (Protection) Amendment Act,

1972 are not attracted, as it would appear from the seizure list that certain items were seized from the agricultural field of the petitioner, which is accessible to anyone. On this background, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and the allegation made in the FIR, the petitioner has made out a case that the article which has been seized, and as per the seizure list, were found in the agricultural field of the petitioner which is accessible to anyone and the petitioner cannot be held to have violated the provision of the Wild Life (Protection) Amendment Act, 1972, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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 learned C.J.M, Bettiah, West Champaran in connection with Forest Case No. 120 of 2022, subject to the

conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-

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