

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16048 of 2024

Arising Out of PS. Case No.-5 Year-2014 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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Suresh Mahto Son of Ramdeo Mahto Resident of Vill.-Kumbhiyatari, P.S.-
Fatehpur, Distt.-Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 33(b)(c)/63 of the Indian Forest Act. and other allied sections of the Indian Penal Code.

3. As per the prosecution case, petitioner made illegal construction of house over the forest land.

4. Learned counsel appearing for the petitioner submits that the petitioner has not made construction over the forest land. Moreover, dispute is purely of civil nature. Co-accused, with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide paragraph 10 of the bail petition. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer



for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Gaya in Forest Case No. 05/2014, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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