

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23350 of 2024

Arising Out of PS. Case No.-17 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Rohtas

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1. RAJENDRA YADAV @ RAJENDRA SINGH @ RAJINDRA YADAV S/o Ramnand Singh Resident of Village-Bharkhoha, P.S.-Tilauthu, District-Rohtash.
 2. RAMESHI RAJWAR @ RAMESH RAM S/o Bhushan Ram Resident of Village-Bharkhoha, P.S.-Tilauthu, District-Rohtash.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

 2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 9, 39, 50 and 51 of the Wild Life Protection Act.

 3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and came to be implicated in the instant case during the course of investigation based on confessional statement of Sudama Singh. It is further submitted that informant alleges that he received informant that some accused had hunted a Sus scrofa, (forest pig) and are selling the meat at village Saina Margoji, accordingly, the said



information was communicated to the superior district forest officer, based on which a team was constituted, and the team reached the place of occurrence, when local persons disclosed that a pig was killed by electric wire, thereafter the team, in order to verify the truth, reached the place of occurrence and found wire in a paddy field, and also saw impressions of pig foot in the paddy field, where Sudama Singh was present, who informed that the animal was killed in his field, and also disclosed that Dhiraj Paswan cut the meat of the animal. It is further alleged that wire along with meat, as detailed in the FIR, was recovered. Learned counsel next submits that petitioners are not named in the FIR and they came to be implicated in the instant case based on confessional statement of Sudama Singh, in custody, which does not have any evidentiary value. It is further submitted that the petitioners will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Forest Case No. 17 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners, despite giving assurance to this court, are not cooperating in the investigation or are not presenting themselves as and when required in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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