

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19413 of 2024

Arising Out of PS. Case No.-48 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

-
1. Vijay Uraon S/o Nand Kumar Uraon @ Nandu Uraon R/o vill - Chakarsan, P.s. - Manpur, Distt.- West Champaran
 2. Nand Kumar Uraon @ Nandu Uraon S/o Late Hetu Uraon @ Aito Uraon R/o vill - Chakarsan, P.s. - Manpur, Distt.- West Champaran
 3. Thapahi Uraon @ Dehpai Uraon S/o Late Shukul Uraon @ Vipahl Uraon R/o vill - Chakarsan, P.s. - Manpur, Distt.- West Champaran
 4. Vinesh Uraon @ Dinesh Uraon S/o Late Likhu Uraon @ Bhikhu Uraon R/o vill - Purainiya, P.S. - Manpur, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 2, 9, 27, 29, 31, 39 and 51 of the Wildlife Protection Act.

3. Allegation against the petitioners is of hunting Chital in the forest area. Dead body of a Chital having wound at the back portion was recovered in the forest area.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case merely on suspicion. There is no eye-witness to the alleged occurrence and there is no specific allegation against them to hunt the dead animal. No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioner nos.3 and 4 have no criminal antecedent, petitioner no.1 has two criminal antecedent and petitioner no.2 has three criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the petitioners have criminal antecedent of similar nature of offence.

6. Having regard to the facts and circumstances of the case, considering that petitioner nos.3 and 4 have no criminal antecedent, let the above named petitioner nos.3 and 4, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Forest Case No.48 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. Considering the nature of allegation and that petitioner nos.1 and 2 have similar nature of criminal antecedents, I am not inclined to enlarge them on anticipatory bail. The prayer for grant of bail on behalf of petitioner nos.1 and 2 is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

pallavi/-

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

