

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31187 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

=====

Rajesh Mukhiya SON OF LATE RAMCHANDRA MUKHIYA R/O - VILL-
Purainiya , PS- Manpur , District- West champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Indian Forest Case P.S. Case No. 53 of 2023 dated 09.06.2023 registered for the offence/s punishable u/ss 3, 33 of the Indian Forest Act and u/ss 2, 27, 29, 31, 51 of the Wild Life Protection Act.

3. As per the prosecution case, the informant being the Forest Range Officer along with the other forest personnel heard the sound of axe while he was on patrolling duty. Thereafter they followed the direction of sound and saw that a person was making log of wood after cutting the green tree who fled away on seeing the forest personnel.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the complaint nor in the application written by the Forest Guard rather his name has been inserted in the seizure list only. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bettiah, West Champaran in connection with Indian Forest Case P.S. Case No. 53 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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

