

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33125 of 2024

Arising Out of PS. Case No.-22 Year-2019 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

Alok Kumar Pathak Son Of Binod Kumar Pathak Resident Of Village- Ghori
Ghat, Ps- Paratppur, Dist- Chatra Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Forest P.S. Case No. 22 of 2019 registered for the alleged offences under Section 33, 41 and 42 of the Indian Forest Act.

03. As per prosecution case, Captain Khan was apprehended with stolen forest wood and he disclosed the name of the petitioner with whom he has been doing illegal business of forest wood.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from conscious or constructive possession of this petitioner whose name came up in

this case merely on disclosure of co-accused driver. The petitioner has nothing to do with the co-accused driver or the alleged occurrence or vehicle or the seized forest wood. None of the offences under Section 33, Section 41 and Section 42 of the Indian Forest Act, 1927 are applicable against the petitioner who is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the remoteness of allegation and its vague nature and also considering the clean antecedent of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Gaya in connection with Forest P.S. Case No. 22 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain

present on each and every date
fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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