

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31669 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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MUKESH SHARMA @ MUKESH KUMAR S/O- AKALU THAKUR
VILLAGE- CHAUSIMA KALYANPUR, PS- RAJAPAKAR DIST-
VAISHALI

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

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Appearance :
For the Petitioner/s : Rupa Kumari , Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered

for the offence punishable under sections 33 , 41 , 42 and 52

of the Indian Forest Act, 1989 (Bihar) Amendment Act and

Section 5 (1) , 7, 10 , 13 , 14 of Bihar Wood Saving

Regulation Act, 1990.

3. As per the prosecution case, on September 3,

2023, on secret information, a raid was conducted, and it was

found that an illegal saw machine was running in *Chauseema*



Kalyanpur. It is further alleged that the alleged mill in question was being run by this petitioner. The mill in question was seized by the informant and accordingly *Hathi brand saw 36"*, a *truali* set, *one diesel engine*, two *saw blades*, one piece *shisham* wood (200cm long x 15cm width x 5cm height) was recovered.

4. It is submitted on behalf of the petitioner that petitioner is not the owner of the saw mill in question and he has no concern with the same. From bare perusal of the complaint petition, it is not clear that the name of this petitioner has transpired on the basis of whose confessional statement. The alleged articles do not belong to this petitioner. As a matter of fact, the name of this petitioner has falsely been implicated in this case by the informant without verifying the fact that the mill in question whether belongs to him or not. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named 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 the learned CJM, Vaishali at Hajipur in connection with C2A- 71 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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