

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35920 of 2024

Arising Out of PS. Case No.-40 Year-2022 Thana- COMPLAINT CASE District- Lakhisarai

Ram Sohan Yadav, Son Of Dhaneshwar Yadav, R/O Village- Pipariya, P.S.-
Pipariya, Dist- Lakhisarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Vinay Pd. Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 26, 33, 41 and 42 of the Indian Forest Act, 1927
and Sections 17A, 27, 29 and 32 of the Wild Life Protection
Act, 1972.

3. The learned counsel for the petitioner submits
that the petitioner is a person with clean antecedent and the
informant alleges that 80 CFT of stone was found loaded on
a trailer from the forest area which was apprehended along
with the tractor.



4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized tractor. It is next submitted that petitioner had a valid Challan dated 20.07.2022 for the stones as would manifest from Annexure-3 to the anticipatory bail application. It is also submitted that stones were loaded from Sheikhpura and not from the forest area, but then, the authorities in mechanical manner implicated the petitioner, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned
Judicial Magistrate, 1st Class, Lakhisarai in connection with
Complaint Case No.40C2 of 2022, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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