

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39982 of 2024

Arising Out of PS. Case No.-85 Year-2019 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

-
1. Ramjee Manjhi Son of Prit Manjhi @ Amrit Manjhi Resident of village- Narawat, P.S.- Atri, Dist.- Gaya
 2. Sanjay Manjhi Son of Rampati Manjhi Resident of village- Narawat, P.S.- Atri, Dist.- Gaya
 3. Dalan Manjhi @ Shiv Ratan Manjhi Son of Rampati Manjhi Resident of village- Narawat, P.S.- Atri, Dist.- Gaya
 4. Karu Manjhi Son of Mangar Manjhi Resident of village- Narawat, P.S.- Atri, Dist.- Gaya
 5. Mithlesh Manjhi Son of Jageshwar Manjhi Resident of village- Narawat, P.S.- Atri, Dist.- Gaya
 6. Vishun Manjhi @ Vishu Manjhi @ Sidheshwar Manjhi Son of Tanu Manjhi Resident of village- Narawat, P.S.- Atri, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-08-2024

1. Heard the parties.

2. The petitioners apprehends their arrest in connection with Forest Case No. 85 of 2019 registered under Sections 33(1) (c) and 63 of the Indian Forest Act.

3. As per the prosecution report lodged by Forest Department the petitioners have allegedly encroached upon the forest land and is residing there for about 20-30 years. It has also been alleged that petitioners along with other persons are constructing a temporary road 100" length x 8" width in the forest area.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case and they have



no concern with the forest land. The petitioners are also not having any claim over the forest land and they were not engaged in the filling of soil for constructing temporary road. The petitioners are having no criminal antecedent. He submits that punishment under Section 33(1)(c) of the Indian Forest Act is six months and under Section 63 of the Indian Forest Act maximum punishment is two years.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that maximum punishment is two years under Section 63 of the Indian Forest Act, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1 Class, Gaya/ court concerned in connection with Forest Case No. 85 of 2019 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

HarshPandey/-

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

