

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46395 of 2024

Arising Out of PS. Case No.-134 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Jamui

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1. Dharmendra Kumar @ Dharmendra Yadav SON OF CHANDAR YADAV Village- Anantpur PS -Laxmipur District -Jamui
 2. RAJESH KUMAR @ RAJESH YADAV SON OF BHUNA YADAV @ BHUNESHWAR YADAV Village- Anantpur PS -Laxmipur District -Jamui
 3. PINTU KODA SON OF KARU KODA Village- Anantpur PS -Laxmipur District -Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-08-2024 1. Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Complaint Case No. 134C2 of 2023, disclosing
offences under Sections 33(B) of the Indian Forest Act.

3. As per the prosecution, report of the Ranger/Deputy
Forest Officer of the Forest Department, forest officials
received a complaint on 17.05.2023 stating that during course of
patrolling on 17.05.2023, the forest officials along with gaurds
reached in the forest at place Bhandra and found that some



persons were carrying the boulder and upon seeing the forest guards and officials they fled away. The forest officials found some broken stone lying over there. Upon inquiry, they came to know from the villagers that the petitioners were involved in the illegal mining of the stone boulders from the forest.

4. Learned Counsel for the petitioners submits that the petitioners have been made accused on the basis of disclosure of their name by the villagers. There is no prima facie material against the petitioners to connect them with the present offence. The petitioners are not having any criminal antecedent of similar nature of offence. The punishment under Section 33(B) is six months.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners name have been disclosed by the villagers and the petitioners are having no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Ms. Niharika Singh, Judicial Magistrate 1st Class-cum-Additional Munsif-VI, Jamui, in connection with Complaint Case No. 134C2 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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