

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46373 of 2024

Arising Out of PS. Case No.-82 Year-2019 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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KRISHNA YADAV, SON OF JANKI YADAV, VILLAGE- MATGADHA,
P.O.- AMBATRI, P.S.- MOHANPUR, DISTT.- GAYA, BIHAR-824232

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anmol Kumar
For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-08-2024 1. This application, for grant of anticipatory bail, arises out of Forest Case No. 82 of 2019, disclosing offences punishable under Sections 33/1(b)/33 1(c)/ 27/30/35/48 of the Indian Forest Act.
2. The prosecution case, as per the prosecution report lodged by the Range Officer Mohanpur Forest Range, is that on 29.09.2019, at about 08:45 in the morning, during the course of patrolling, he saw that illegal mining of moram and stone was being done by some persons for the purpose of road construction. The Range Officer recovered the articles and when he, with the help of Forest Guards, tried to arrest the accused persons, they were attacked by the accused persons and 20 CFT of



boulders was recovered. The name of the petitioner, along with the other co-accused persons, is disclosed in the prosecution report.

3. Learned counsel for the petitioner submits that from perusal of the prosecution report, it would be evident that altogether hundred persons were indulged in the illegal mining but the petitioner has been implicated at the behest of some local persons. The petitioner has falsely been implicated in this case, having no concern with the alleged illegal mining of boulders from the forest.
4. I have heard learned counsel for the parties concerned.
5. The case was lodged by the Forest Ranger in the year 2019. The petitioner, after lapse of about five years, has filed the bail application for the first time before the learned Sessions Judge. From perusal of the order of the learned Sessions Judge, it appears that the petitioner is having criminal antecedent of similar nature of offence and is indulged in illegal mining of the stone and moram from the forest area, damaging the eco-system of the forest area.
6. Having heard learned counsel for the parties concerned and taking into consideration the fact that the petitioner is



named in the prosecution report, he is having criminal antecedent of similar nature of offence and the petitioner is seeking anticipatory bail after five years of the institution of the present case, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

R.R. Sinha/-

(Anil Kumar Sinha, J.)

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