

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51051 of 2024

Arising Out of PS. Case No.-65 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Lal Bahadur Sharma Son Of Late Ganesh Sharma Resident Of Village -
Teliya Tola Bahuarwa, Police Station - Majhauriya, District - West
Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sarvesh Kashyap, Advocate
For the State : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 18-12-2024 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Forest Case No.65 of 2023, registered for the offences punishable under Sections 41 and 42 of the Indian Forest Act and Section 5, 8, 10, 12, 13, 14 of the Bihar Saw Mills (Regulation) Act, 1990.

3. As per allegation, the sole accused petitioner was running a Saw Mill in the forest area without any authority.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that only on the basis of suspicion he



has been implicated in the present case. Neither he was present on the place of the Saw Mill nor was he found to be operating the Saw Mill, and hence, he has no connection with the Saw Mill.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case in which he is on bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Forest Case No.65 of 2023, subject to the conditions as laid down under Section 438 (2)



Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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