

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54590 of 2024

Arising Out of PS. Case No.-84 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

Nathai Kazi @ Nathai Kajee Son of Sandeshwar Kazi R/O Vill.- Swrawa
Don, P.S.- Gobarhia, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Anand, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Forest Case No.84 of 2023 instituted under Sections 33, 41, 42 of the Indian Forest (Bihar Amendment) Act, 1927 and Sections 2, 27, 29, 31 and 51 of the Wild Life Protection Act (amended in the year 2006).

3. As per prosecution case, it is alleged that on getting secret information about cutting of forest wood by some unknown miscreants, the informant and other forest officials went there and found that some persons were carrying wooden logs. The informant apprehended four persons while others managed to escape.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case on the basis of suspicion. The petitioner was neither arrested on the spot nor any incriminating material was recovered from his possession. It is further submitted that similarly situated co-accused person, namely, Dil Mohammad Gaddi has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 07.02.2024 passed in Cr.Misc.No.3429 of 2024. The petitioner has one criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 A.C.J.M. 1st, Bagaha, West Champaran in connection with Forest Case No.84 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

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(Sunil Dutta Mishra, J)

