

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57669 of 2024

Arising Out of PS. Case No.-97 Year-2022 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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1.	Nikhil Vinay, Male, aged about 29 years, son of Rajendra Singh,	
2.	Ratan Chauhan, Male, aged about 46 years, son of Saryu Chauhan,	
3.	Arshad Sekh, Male, aged about 45 years, son of Kamil Sekh,	
4.	Harendra Sah, Male, aged about 65 years, son of Kaushal Sah, All R/V- Village- Thori, P.S.- Sahodara, Distt.- West Champaran	
		 Petitioner/s
	Versus	
	The State of Bihar	
		 Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 16-12-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Forest Case No.97 of 2022 dated 10.10.2022, instituted under
Sections 2,27, 29, 31, 51 of the Wild Life Protection Act, 1971.

3. The allegation against the petitioners is that they
encroached the forest land and constructed house over it.

4. Learned counsel for the petitioners submits that
they are innocent and have been falsely implicated in this case.
Further submission is that from the seizure list it appears that
some materials such as one piece of *Karni*, ten pieces of
cemented bricks, five pieces of bamboos and four pieces of



Sahul Suta were recovered. Learned counsel further submits that the aforesaid articles do not belong to the petitioners. The petitioners have no concern with the alleged recovered items. The petitioners have not been arrested at the spot and only on the basis of suspicion the Forest Guard has named the petitioners. Lastly, it is submitted that the petitioners no. 1, 2 and 4 have no criminal antecedents, where, as one criminal case is pending against the petitioner no. 3.

5. Learned APP has opposed the prayer for bail.

6. Having considered 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 petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bettiah, West Champaran, in Forest Case No.97 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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