

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60494 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Balistar Ansari @ Balister Miyan @ Balistar Miyan Son of Late Hadish Ansari @ Hadish Miyan @ Hadis Miyan Resident of Village - Meghwal Malthiya, P.O.- Meghwal Malthiya, P.S.- Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 60640 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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1. JHINNU YADAV S/O Late Nandu Yadav @ Nanhu Yadav R/O Village- Meghwal Malthiya, P.S- Ramnagar, District- West Champaran.
2. Majharuddin Ansari S/O Murtuza Ansari @ Murtuja Ansari R/O Village- Meghwal Malthiya, P.S- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 60494 of 2024)

For the Petitioner/s : Mr.Gulfeshan

For the Opposite Party/s : Mr. J.N. Thakur, APP

(In CRIMINAL MISCELLANEOUS No. 60640 of 2024)

For the Petitioner/s : Mr.Gulfeshan

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 02-09-2024 Both these Criminal Miscellaneous Applications are

heard together and the same are being disposed off by passing

the common order.



2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 33, 41 and 42 of the Indian Forest Act and Sections 2, 27, 29, 31 and 51 of the Wild Life Protection Act.

4. As per allegation in the FIR, petitioners had cut down the green sal tree from the forest area and they were carrying the three wooden logs by bicycles. Three accused persons were arrested on spot and some of their associates were managed to escape.

5. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. At the time of occurrence, petitioners were at their house. By applying force, police took their thumb impression on blank white paper and the same was later on converted as the fardbeyans with similar statements. Recovered bicycles from the place of occurrence do not belong to the petitioners. Petitioners are languishing in judicial custody since 21.5.2024.

5. The application for bail is opposed by learned APP for the State and submitted that all the petitioners are having



three criminal antecedent except petitioner Jhinu Yadav against whom there are two criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah, West Champaran or the concerned court in connection with Forest Case No. 38 of 2024 **but their bail bonds shall be accepted after a period of three months**, subject to the conditions that petitioners shall cooperate in the disposal of trial and be available as and when required by the court.

(Nawneet Kumar Pandey, J)

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