

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65228 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

Raju Kumar Singh S/O Late Jiwan Singh Resident of Village- Dubauliya, P.S-
Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-10-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Forest Case No. 30(F) of 2024, disclosing offences
under Sections 5, 8, 9, 10, 12, 13, 14 of the Bihar Saw Mill
Regulation Act read with Sections 41, 42 of the Indian Forest
Act, 1927 (Bihar Amendment Act, 1990).

3. As per the prosecution report, the Forest Range
Officer/Forester got a secret information that illegal saw mill
was being run by the petitioner in the orchard and the woods
taken from the forest was being sold after cutting the same in
the illegal saw mill proceeded towards the place of occurrence
and upon seeing the raiding party, the accused persons fled
away. It has been alleged in the prosecution report submitted by



the Forester that saw mill was being operated by the petitioner for the last ten years which is in violation of the direction of the Hon'ble Supreme Court in Civil Writ No. 202 of 1985, dated 29.10.2002 and the relevant laws.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of secret information and disclosure of his name by the co-villager. In the report submitted before the Ranger/Forest Officer by the Forester, it has been stated that at the time of raid, the saw mill was found running, however, from the seizure list, it would be evident that only one Saw engine and logs of mango wood were recovered. In the seizure list, nothing is shown that saw mill was found running and the saw mill was running on the government land and not upon the property of the petitioner.

5. On the other hand, learned counsel for the State submits that the Forest Officials/Ranger raided the premises and recovered the woods and other articles from the saw mill which was being run unauthorizedly for the last ten years by the petitioner and others thereby causing damage to the forest and its produce.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of



allegation and the fact that the Forester/Ranger seized some articles used by the saw mill and the name of the petitioner has surfaced after investigation, I am not inclined to grant the petitioner privilege of anticipatory bail. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit without being prejudiced that anticipatory bail of the petitioner has been rejected by this Court.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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