

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64786 of 2024

Arising Out of PS. Case No.-98 Year-2022 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Jitendra Singh @ Jitendra Kumar S/O Ramanand Singh R/O Vill- Bhikhna
Thori, P.S. Sahodara, District- 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.Satya Nand Shukla,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Heard Mr.Ashok Kumar Gupta, learned counsel for

the petitioner and Mr.Satya Nand Shukla, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Forest Case No.98F of 2022, registered for the offences punishable under Sections 2,33,41,42,66(A) of the Indian Forest Act, 1927 (Amendment 1990) and Sections 2,27,29,31,51 of the Wild Life Protection Act, 1972 (Amendment 2006).

3. Allegation against the petitioner is that he tried to encroach the forest land and also tried to construct the pucca house over the forest land.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. As per FIR, allegation against the petitioner is that he tried to encroach the forest land and also tried to construct the pucca house over the forest land. Learned counsel for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and he has been made accused in the present case due to ulterior reason.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and as per FIR, no case is made out against the petitioner under the Indian Forest Act and Wild Life Protection Act for the purpose of granting anticipatory bail, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Forest Case No.98F of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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