

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73847 of 2024

Arising Out of PS. Case No.-47 Year-2021 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Mohan Choudhary S/o- Ganesh Choudhary Resident of Village-Ekava PS-
Sahodar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Preeti Kumari, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-10-2024 Heard Ms. Preeti Kumari, learned counsel for the

petitioner and the State.

2. The petitioner is in custody in connection with
Forest Case No. 47F/2021 for the offence punishable under
sections 2, 33, 41 and 42 of the Indian Forest Act and Sections
2, 27, 29, 31 and 51 of the Wildlife Protection Act lodged on
21.06.2021.

3. As per the prosecution story, the informant alleged
that as it reached near S/64, saw some accused persons loading
wood of the forest. As the forest guard ran towards them, they
left leaving behind their cycle and wood but they were
identified, this petitioner included. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is



a poor person, once he has been implicated, every time, the forest people name him as an accused. It is the further undertaking that he shall be putting in his presence in the local police station to show his bona fide and diligently appear in trial.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent of the same nature.

6. Considering the submissions put forwarded by the parties, though there are criminal antecedents of the same nature, he is in custody since 22.04.2024 (paragraph-13 of the petition) and it has been undertaken that he shall be appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Court Session Judge-IX-cum-Special Class, West Champaran, Bettiah, in connection with Forest Case No. 47F/2021 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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