

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.71785 of 2024

Arising Out of PS. Case No.-53 Year-2020 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Nawada

Mahendra Prasad Son of Hulash Prasad Resident of Village- Kushumbhatari ,
Police Station- Sirdalla, Distract- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 26-10-2024 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 G.O. Case No. 53 of 2020, disclosing offences punishable under Section 33 of the Indian Forest Act.
3. The prosecution case, as per the written Report of the forest officials submitted before the learned, Chief Judicial Magistrate, Nawada, is that while on patrolling in the prohibited forest area, the informant saw that the petitioner, along with others, were ploughing the land for the purpose of making their house. When the informant told them to show the documents regarding ownership of



the land, the accused persons could not produce any chit of paper.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to ulterior motive. He further submits that the land in question belongs to the mother of the petitioner and Title Suit No. 953 of 2023 has been filed by the petitioner's side, in which the State of Bihar is the defendant.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that the petitioner were unauthorizedly making their houses over the prohibited forest area and the petitioner has no document showing the land to be their ancestral land.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner, along with other co-accused persons, were illegally ploughing the prohibited forest land and no document, regarding their ownership has been brought on record, I am not inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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