

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72527 of 2024

Arising Out of PS. Case No.-266 Year-2024 Thana- BABUBARHI District- Madhubani

1. Pintu Mehta @ Pintu Kumar Mehta S/O late Gurumukh Mehta R/O Village Kulhariya , P.S.- Babubarhi, District- Madhubani.
2. Sunil Mehta @ Sunil Kumar S/O Late Gurumukh Mehta R/O Village Kulhariya , P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Pallavi
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in Babubarhi P.S. Case No. 266 of 2024 registered for the offences punishable under Sections 379, 411, 427/34 of the Indian Penal Code and Section 3/4 of the Forest (Conservation) Act 1980.

3. As per the prosecution case, the petitioners are said to have cut the adult Jamun trees planted on the Government land.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



the trees in question belongs to the petitioners and the same was planted by them on their own Khatiyani land bearing Plot No.1193. He further submits that the petitioners, due to their lack of awareness, had not taken permission from the Forest Department prior to uprooting the plants. The petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner of cutting the adult Jamun tree.

6. Considering the facts and circumstances of case and perused the materials available on records, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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