

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85267 of 2024

Arising Out of PS. Case No.-5 Year-2021 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Darbhanga

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Santosh Kumar Sharma @ Santosh Kumar Thakur Son of Late Ram Sewak
Thakur @ Ramsewak Thakur Village And Post -Bajitpur PS -Manigachhi OP
Bajitpur District -Darbhanga. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.13, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Forest G.O. Case No.
05 of 2021 registered for the offences punishable under Sections
41, 42 and 52 of the Indian Forest Act and Section 5, 7, 8, 9 and
10 of the Bihar Saw Mill (Regulation) Act, pending in the Court
of learned J.M. 1st Class, Darbhanga.

3. A raid was conducted at the Saw Mill of the petitioner by
the Forest Officer, Darbhanga along with their subordinate
officials and during course of the raid the Saw Mill was found
in running condition and, accordingly, seized certain articles
related to the mill and wood.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. It is further submitted that the cousin
brother of the petitioner, namely, Upendra Thakur obtained a



Saw Mill Licence for running a Saw Mill. Thereafter, a partition between the co-sharers took place and the land over which Saw Mill was running fallen in the share of the father of the petitioner. However, with the passage of time the Saw Mill closed. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

5. Learned APP for the State vehemently opposing the bail petition submitted that due to rampant deforestation affecting environment. The Act in question enacted to regulate the business of sale and purchase of wood. There is no question of false implication as the case has been lodged by the Forest Authority. Hence, the petitioner does not anticipatory bail.

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

7. However, if the petitioner surrenders 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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