

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4493 of 2025

Arising Out of PS. Case No.-8 Year-2019 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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Sonu Kumar S/o Ashok Prasad R/o Village- Kamat, Tola- Chainpur, P.S.-
Sherghati, District Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-03-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Forest P.S. Case No. 08 of 2019 dated 11.05.2019 registered under Sections 33(1)(c) and 63 of the Indian Forest Act, 1927 (Bihar Amendment Act, 1989).

3. As per the prosecution story on 11.05.2019 at about 05:00 P.M. the informant reached at the foothills of Bharamyoni Mountain and saw that illegal construction work was being done on the forest land by the F.I.R. named accused persons which was stopped by the informant and when the construction material was being seized, then the local people objected to it.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence in the manner alleged. He submits that neither the petitioner was involved in the alleged construction of boundary wall or pillar nor in any



manner involved in the alleged offence of encroachment of forest land. He next submits that there is inordinate delay in the institution of the present case inasmuch as information was given by the informant on 12.05.2019 to the Range Officer, Gaya and the Range Officer, Gaya forwarded it to the C.J.M., Gaya on 10.12.2019 and thereafter the present case was registered on 10.12.2019 without any plausible explanation for delay.

5. Having heard the parties it appears that the F.I.R. was lodged in the year 2019 and the petitioner has approached this court in the year 2025 for anticipatory bail. N.B.W. has already been issued on 03.09.2024. From perusal of the prosecution report it appears that petitioner was called through forest guard to co-operate in the investigation but he didn't participate. There is allegation of encroachment of land of reserved forest and construction activities carried on forest land causing damage to the forest area. Accordingly, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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