

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5924 of 2025**

Arising Out of PS. Case No.-86 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Nawada

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Gopal Sao, S/o Late Doman Sao, R/o Village-Mahudar, P.S.-Kawakole,
District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with G.O. Case No.86
of 2024 registered under Sections 33(1)(C) of the Indian
Forest Act.

3. Allegation against the petitioner to dig a pond /
well in an area notified under Forest Act without obtaining
NOC from forest department.

4. It is submitted by learned counsel that petitioner
is an elected Mukhiya and for said reason only, he was



implicated with present case, where actually digging work was done by local villagers. It is submitted that petitioner not found digging in contravention of the Forest Act and merely on the basis of secret information and also on the information received on the basis of hearsay input, the present implication was raised against petitioner, who is otherwise a man of clean antecedent.

5. Learned APP opposed the prayer for bail of petitioner.

6. In view of aforesaid factual submissions and by taking note of fact as the petitioner is admittedly an elected representative/Mukhiya not actually found digging the alleged pond/well, where implication *prima facie* appears on the basis of hearsay input gathered from unknown villagers, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawadah in connection with



G.O. Case No.86 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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