

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10526 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- KAJRA District- Lakhisarai

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Anant Kumar Son of Avinash Singh, Resident of Village -Narotampur PS-
Kajra Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-05-2025 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Kajra P.S.Case No.129 of 2024 registered for the offences
punishable under Sections 115(2), 126(2), 109, 132, 120(2),
121(2), 324, 329(2), 303, 351(3), 352 and 3(5) of BNS, 2023.

3. As per the allegation made in the FIR, which has
been lodged by the forest official mentioning therein that the
petitioner along with the other co-accused were involved in
illegal mining in the forest area though no case has been
registered under Sections 41 and 31 of the Indian Forest Act,
1927.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he is not
connected with the named co-accused, Sajjan Singh. The



petitioner has also denied that the Tractor along with the soil, which was seized and forcibly taken away by the said Sajjan Singh is belonging to the petitioner and the same is not registered in the name of the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the nature of the allegation made in the FIR, I find that the petitioner has denied that he is connected in any manner with the co-accused, Sajjan Singh; against him it has been alleged that he is the owner of the said Tractor and the petitioner has also denied his ownership of the Tractor. It has further been submitted on behalf of the petitioner that the Tractor is not registered in his name nor it is stolen Tractor. From the FIR, it also reflects that the Tractor was seized and it was forcibly taken away by the co-accused including the petitioner and deliberately the Police Official(s) including the Forest Official(s), who had effected the seizure, let the petitioner and another co-accused caught free along with the Tractor, as such the action is required to be taken against the concerned Police Official(s) and the Forest Official(s), who had effected the seizure of the vehicle. The petitioner has made out a



case to be released on pre-arrest bail.

7. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Lakhisarai/concerned court, in connection with Kajra P.S.Case No.129 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

8. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

9. Let a copy of this order be communicated to the Superintendent of Police, Lakhisarai and the Divisional Forest Officer, Lakhisarai for taking appropriate action against the concerned police official(s) and the forest officials(s).

(Purnendu Singh, J)

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