

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17407 of 2025

Arising Out of PS. Case No.-67 Year-2020 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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Manju Devi W/o Satyendra Prasad Singh R/o Village- Bahdalpur, Post-
Takiya, PS- Khizarsarai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Dharmendra Kumar Sinha, learned

counsel for the petitioner and Mr. Shyam Bihari Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Forest P.S. Case No. 67 of 2020, F.I.R. dated
02.11.2020 for the offences punishable under Sections 33(1)
(c) and 63 of Indian Forest (Bihar Amendment) Act, 1989.

3. As per the First Information Report, the informant
alleged that the petitioner along with co-accused persons
constructed pucca boundary wall on the forest land.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case. As per the allegation in the FIR,



the petitioner and other co-accused persons have encroached the forest land and they made some construction over the land. He further submits that the land in question was originally recorded in the name of Vaidehi Devi in R.S. Khatiyani who sold the same to one Bhagwan Das and petitioner had purchased the land from one Manan through registered sale deed No. 5264 dated 30.03.2011 and after purchase, some construction was made over the land in question and apart from that the Circle Officer, Manpur, Gaya issued a letter No. 754 of 23.09.2020, which reveals that there is no any forest land over the land in question and co-accused, namely, Dimpal Kumari whose name has appeared at serial No.11 of accused persons list has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.04.2024 in Cr. Misc No.19167 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and petitioner had purchased the land in question through registered sale deed and the letter issued by Circle Officer reveals that there is no any forest land over the land in question, let the petitioner, above named, in the



event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Gaya in connection with Forest P.S. Case No. 67 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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