

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25442 of 2025

Arising Out of PS. Case No.-9 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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Chhotu Singh @ Sammi Raj Son of Mantu Singh @ Yogendra Singh Resident
of Vill- Singathia, P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2025 Heard Mr. Shivendra Prasad, learned counsel for

the petitioner and Mrs. Indu Kumari Srivastava, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Forest Case No. 09 of 2023, F.I.R. dated
08.07.2023 for the offences punishable under Sections 33, 1(b),
41 and 42 of the Indian Forest Act.

3. According to prosecution case, this petitioner along
with other accused persons have caused loss and damage to the
government property by doing illegal excavation from the forest
area.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the informant is not the eye witness of the alleged occurrence and on the basis of suspicion the name of the petitioner has been incorporated in this present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner is not the owner of the tractor or the JCB machine which are mentioned in the present case.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the said case.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Gaya in connection with Forest Case No. 09 of 2023, 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 his absence on two consecutive dates without sufficient reason, his 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 his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds 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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