

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25161 of 2025

Arising Out of PS. Case No.-22 Year-2019 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Jamui

-
1. Mohan Mandal S/O Mantu @ Bhultu Mandal R/O Vill.- Aamjhari, P.S.- Sono, Dist.- Jamui
 2. Govind Mandal S/O Hullash Mandal R/O Vill.- Aamjhari, P.S.- Sono, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2025 Heard Mr. Pankaj Kumar Sinha, learned counsel
for the petitioners and Mr. Bhanu Pratap Singh, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Case No. 22C² of 2019, F.I.R. dated 17.12.2018 for the offences punishable under Sections 26, 41 and 42 of the Indian Forest Act.

3. According to prosecution case, these petitioners were found to be extracting bolders from the mountain illegally.

4. Learned counsel for the petitioners submits that petitioner no. 2 has clean antecedent and petitioner no. 1 carries one criminal antecedent other than the present one and he is on



bail in the said case. He further submits that it appears from the FIR that the informant has not saw the so called alleged occurrence and even the informant had not saw the petitioners and merely on the basis of suspicion the petitioners have been made accused in this case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that the so called occurrence took place on 18.06.2018 but the prosecution report has been sent before the learned Court below on 19.02.2019 i.e., after delay of 8 months which suggest that the FIR has been instituted after thought only to falsely implicate the petitioners.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Case No. 22C² of 2019, 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Vanisha/-

U		T	
---	--	---	--

