

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35594 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Nawada

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Rajesh Turiya S/O Rajendra Turiya R/O village- Basroun, PS- Rajauli, Distt-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vivek Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Vivek Kumar Sinha, learned counsel for the
petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with G.O. (F) Case No. 128 of 2024, dated 10.09.2024 registered for the offences punishable under Sections 33, 41 and 42 of the Forest Act 1927 and Section 27, 29, 31 of the Wildlife (Protection) Act, 1972.

3. Allegation against the petitioner is that he was found in possession of a large amount of illegally mined mica and, upon interception, fled the scene after an altercation with the forest guards.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case on the basis of disclosure made by



local people and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. It appears from the F.I.R. itself that no case is made out under the Forest Act as well as under the Wildlife (Protection) Act.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the name of the petitioner has been transpired on the basis of local people, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with G.O. (F) Case No. 128 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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