

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39385 of 2025

Arising Out of PS. Case No.-44 Year-2021 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Gaya

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Rajesh Kumar S/o Bhola Paswan Resident of Vill- Saraia, P.S.- Sarai, Distt-
Nalanda, Bihar- 803118 presently posted as Junior Electrical Engineer,
Electric Supply Section- Koch, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Renu Jha, Adv. Mr. Prakash Kumar, Adv.
For the State	:	Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 33(i)(c) and 63 of the Indian Forest (Bihar Amendment) Act, 1989.

3. As per the prosecution case, the petitioner along with the other accused persons were fixing three poles with electric wires in the reserve forest of Mahkar without seeking permission from the forest department.

4. Learned counsel for the petitioner submits that the petitioner is a public servant and has committed no offence. As a matter of fact, the petitioner was posted as Junior Electrical



Engineer, Manpur, Gaya in the supply department on the alleged date of occurrence, whereas the matter relates to engineers of Project Division in the South Bihar Power Distribution Co. Ltd. (hereinafter referred to as S.B.P.D.C.L.). It is further submitted that the petitioner has no concern with the work which was allotted to the contractors and it was the Electrical Executive Engineer (Projects), Manpur, Gaya who was ordered to function as Engineer-In-Charge which is an altogether different department of S.B.P.D.C.L. It is next submitted that a similarly situated co-accused person, who was the Electrical Executive Engineer in the supply department, has already been granted the privilege of anticipatory bail vide order dated 23.04.2025 passed in Cr. Misc. No. 87575 of 2024 (Anneuxre-P/3). The petitioner undertakes to cooperate in the case/trial.

5. Learned APP for the State, however, opposes the prayer for bail

6. Taking into consideration the entire facts and circumstances, I am inclined to grant the privilege of anticipatory bail to the petitioner, who has no criminal antecedent. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 lower Court where the case is pending/successor Court in connection with Forest Case No. 44 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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