

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47673 of 2025

Arising Out of PS. Case No.-26 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Banka

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1. Omkar Yadav @ Onkar Yadav S/o Late Bhagu Yadav Resident of Village- Karda, PO- Inrawaran, PS- Katoria, Distt.- Banka
 2. Ratan Yadav @ Ratan Kumar S/o Omkar Yadav Resident of Village- Karda, PO- Inrawaran, PS- Katoria, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Kumar Jha

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 66(A)
of the Indian Forest (Bihar Amendment) Act, 1989.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the
informant, who is a Forest Guard, alleges that petitioner and
his son encroached the land of the forest and were
constructing a house, as such, the land was measured and
thereafter demolition was directed, but the pillars were



demolished while the wall remained intact, as such, a complaint case was instituted with a request to Forest Range Officer to investigate the case.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is next submitted that Plot Nos. 316 and 05 is raiyati land of the petitioner, but then is near the forest as such the Guard under a mistaken belief instituted the instant complaint case without properly measuring the land on which the construction of the house was being done. It is also submitted that petitioner will not abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned



trial court where the case is pending/successor court in connection with C-3 (Forest) Case No. 26 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

Rishabh/-

(Satyavrat Verma, J)

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