

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51370 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Anwar Ansari @ Anwar Miyan S/O Late Haroon Ansari R/O Village-Khiriya
Naraipur, PS- Patkahuli, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Adv.
For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-08-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Rabindra Kumar.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 2(1) and 9 of Wildlife Protection Act and the Biological Diversity Act, 2002.
3. Learned counsel appearing on behalf of the petitioner submits that at Para-3 it has been specifically pleaded that petitioner has no criminal antecedent, but then the order impugned inadvertently records that petitioner has antecedent of one case.
4. In view of the submissions made by the learned counsel appearing on behalf of the petitioner, the defect, as



pointed out by the office, is hereby ignored.

5. It is next submitted by the learned counsel appearing on behalf of the petitioner that from perusal of the allegation as alleged in the complaint, it would manifest that the complainant alleges that he got an information that two accused persons are shooting birds with air gun, accordingly, he along with others reached the place of occurrence and two persons were apprehended, further one apprehended accused disclosed his name as Anwar Mian while the other accused did not disclose his name, but then from their possession, air gun along with birds etc. were recovered. It is further submitted that while both the apprehended accused were being brought to the concerned forest office when the villagers gathered and forcefully got the accused released.

6. Learned counsel appearing on behalf of the petitioner next submits that petitioner has been falsely implicated in the instant case by the complainant. It is further submitted that from perusal of the allegation as alleged in the complaint, it would manifest that complainant alleges that two accused were arrested and one accused disclosed his name as Anwar Mian while the other accused did not disclose his name. It is further submitted that petitioner was not even present at the



place of occurrence nor the air gun belongs to him. It is further submitted that even presuming the allegation to be true without admitting, in that event, it was Anwar Mian who was apprehended at the place of occurrence whose name is also recorded in the FIR. It is next submitted that if petitioner was apprehended along with Anwar Mian in that event Anwar Mian would have disclosed the name of the petitioner. It is also submitted that petitioner will not abscond rather will co-operate in the trial and will not delay the framing of charge.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 50,000/- (Rupees Fifty Thousand) 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 Forest Case No. 38 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

9. It is made clear that if the learned Trial Court



comes to a conclusion that petitioner, after his release, is trying to delay the framing of charge or after framing of charge is trying to delay the trial in any manner, in both the conditions, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

10. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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