

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52509 of 2025

Arising Out of PS. Case No.-59 Year-2022 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

=====

Chhabilal Sharma S/O Kedar Sharma R/O Village- Basgaon Ausani, Ward
No.-4 P.S- Pathkauli, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered under Sections 5, 8, 9, 10, 13 and 14 of the Bihar Saw Mill Act and Sections 33, 41 and 42 of the Indian Forest Act.

3. As per the FIR, it is alleged that the shop of the petitioner was sealed earlier under Section 8 of the Bihar Saw Mill Act; however, the local person informed the Forest Department that the petitioner has again started his saw mill. A raid was conducted and it was found that the petitioner was running the saw mill after breaking the seal. They found wood ash and round-shaped shishm wood kept there.

4. Learned counsel for the petitioner submits that the petitioner in fact runs a small shop and the allegations leveled



in the FIR is wrong. The learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner and seizure memo has not been prepared properly because witnesses are also of distant village. It has further been submitted that there is no allegation upon the petitioner to have illegally kept woods and the petitioner has falsely been implicated at the behest of the co-villagers. It has lastly been submitted that the petitioner has antecedent of one case of similar nature in which he is on bail.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, in the event of his arrest or surrender within four weeks, the above named petitioner is directed to be enlarged on bail in connection I.F. Case No. 59 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below/court concerned subject to the conditions :

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii). In case of absence on two consecutive dates, or in



violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned 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 antecedents, 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Prakash/-

U			
---	--	--	--

