

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52752 of 2025

Arising Out of PS. Case No.-6 Year-2020 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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1. Heman Nath son of Late Manraj Nath R/o Village -Mahuawa Mahui P.S.-
Mariyariya District-West Champaran
 2. Baldev Uranv Son of Late Thagai Uranv R/o Village -Mahuawa Mahui P.S.-
Mariyariya District-West Champaran
 3. Hathu Nath @ Chhathu Nath Son of Late Shankar Nath R/o Village
-Mahuawa Mahui P.S.- Mariyariya District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Sujeet Kumar, learned counsel for the

petitioners and Mr. Murli Dhar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Forest Case No. 06 of 2020, F.I.R. dated
09.01.2020 for the offences punishable under Sections 2, 27, 29,
31, 32, 39, 50 and 51 of the Wild Life Protection Act and
Sections 33, 41, 42 and 66(A) of the Indian Forest Act.

3. According to prosecution case, the informant, on
09.01.2020 in the morning, along with other forest guards, was
on patrolling duty. During the course of patrolling, the informant



noticed that sugarcane, paddy, and mustard crops had been cultivated by ploughing the forest land inside the reserved area by certain encroachers. The names and addresses of the encroachers, who had ploughed the forest land and planted the crops, were subsequently ascertained from reliable sources and duly entered in the seizure list. Thereafter, measurement of the encroached land was conducted and the seizure list was prepared on the spot.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. The allegation as alleged in the F.I.R. is false and fabricated. The allegation against the petitioners is that they have encroached the forest land, in fact the petitioners is not residing in the area where the forest land is situated and the co-accused persons, namely, Kishore Mahto has been granted privilege of anticipatory bail by this Court vide order dated 31.07.2025 passed in Cr. Misc. No. 48946 of 2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and the similarly situated co-accused person, namely, Kishore Mahto has been granted privilege of



anticipatory bail, let the petitioners, above named, in the event of their 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Forest Case No. 06 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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