

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53620 of 2025

Arising Out of PS. Case No.-73 Year-2024 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

Wozair Ahmad @ Wazair Ahmad @ Ojair Ahmad S/O Late Dr. Kalim
Resident of village- Sabeya, P.S.- Ramnagar, Dist.- West Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 2, 9, 27, 29, 39, 49B, 50, 51 and 52 of the Indian Forest Protection Act, 1972, Section 50 of the Wild Life (Protection) Act, 1972 and Section 52 of the Indian Forest Act, 1927.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the complainant alleges that during checking of vehicles, the forest officials found two motorcycles coming from Nepal to India. Further, two persons were on one motorcycle and a person was singly riding the other motorcycle. When they were signaled to stop, the persons riding Nepali motorcycle were apprehended while



the person riding Indian motorcycle fled away from the spot. The apprehended persons were searched and from their possession, hide of leopard was recovered.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is further submitted that even the accused who were apprehended did not disclose the name of the petitioner nor he is owner of the motorcycle which was having Indian registration number. It is, thus, submitted that based on suspicion, the petitioner came to be implicated in the instant case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt the apprehended accused did not disclose the name of the petitioner but then during the course of investigation, it transpired that the motorcycle belonged to one Sheikh Shahnawaz from whom the petitioner had taken the motorcycle and fled away when the forest officials asked the motorcyclist to stop. It is further submitted that petitioner was accompanying Nepali motorcyclists. It is next submitted that leopard is registered at No. 43 of Schedule 1 Part A in the Wild Life (Protection) Act, 1972 and is an endangered species and if the anticipatory bail



application of the petitioner is allowed he may abscond. It is also submitted that Sheikh Shahnawaz has been granted the privilege of anticipatory bail by a learned Co-ordinate Bench of this Court by an order dated 21.05.2025 passed in Cr. Misc. No. 32315 of 2025 (Annexure-2) on the ground that this petitioner had taken his motorcycle.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Forest Case No. 73-F of 2024 pending in the Court of learned Judicial Magistrate, 1st Class, West Champaran at Bettiah/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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