

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67497 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Bajjnath Sah @ Bajjnath Prasad @ Baidyanath Prasad S/O Late Zahari Sah
R/O Village- Mahanwa Dumari, Ps- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 09-04-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Chandra Bhushan Prasad.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 41 and 42
of the Indian Forest Act and Sections 5, 8, 9, 10, 12, 13, 14 of
the Bihar Saw Mills (Regulation) Act, 1990.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the allegation as
alleged by the complainant against the petitioner in the
complaint is that on 18.10.2023 at about 11.05 A.M. the
information received an information that the petitioner and
others are jointly have established an illegal saw mill and
running the same, accordingly, the informant after informing his



superior officials constituted a raiding team and reached the place of occurrence but then they did not find entire saw mill except some part of it.

4. The learned counsel submits that the petitioner has been falsely implicated in the instant case by the complainant. It is next submitted that petitioner came to be implicated only for the reason that part of the saw mill which was recovered was found on his land. It is next submitted that no prudent person would use his own land for committing an occurrence and thus would create evidence against himself and thus would get implicated. It is also submitted that the petitioner was completely unaware that Jitendra who was given the charge of the land would misuse the same in the manner as alleged. It is next submitted that petitioner does not reside in the village rather stays at Gujrat and is 70 years old.

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

6. Considering the submissions made by the learned counsel for the petitioner and also taking into the age of the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Indian Forest Case No.99/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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