

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74947 of 2024

Arising Out of PS. Case No.-37 Year-2020 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Munna Paswan @ Lalbabu Paswan @ Lalbabu Pasawan @ Munni Paswan
S/o Rama Paswan R/o Village- Balua Ward No.07, Dhanauji, P.O.- Jamuniya,
P.S.- Jamuniya, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Kant, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr.Chandra Kant, learned counsel for the

petitioners and Mr.Dr. Ajeet Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Forest Case No.37 of 2020, registered for the offences punishable under Sections 2,9,27,29,31,38,39,5L of Wild Life Protection Act.

3. The prosecution case, in short, is that on 21.04.2020 while the informant and other forest personnel's were on patrolling, saw some persons carrying killed animal, that persons were challenged by informant then that persons led away towards Nepal, throwing the killed animal,



informant and other police personnel's made search but in vain, but during fleeing criminals were identified by forest police, and when the informant reached at the spot found pig was killed by criminal.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the prosecution report is false and fabricated and the petitioner has not committed any offence as alleged in the prosecution report. It appears from the prosecution report that the name of the petitioner has been transpired on the basis of the identified forest police during accused person fleeing away from the place of occurrence and the petitioner and other co-accused person have been identified by the forest police during fleeing away from the place of occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and name of the petitioner has been transpired on the basis of the so called identified by the forest police officer, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-III, Bettiah, West Champaran in connection with Forest Case No.37 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, 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.

(Rajesh Kumar Verma, J)

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