

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5068 of 2026

Arising Out of PS. Case No.-4 Year-2025 Thana- FOREST (GOVERNMENT OFFICIAL)
District- Rohtas

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1. SATYANARAYAN SINGH Son of Late Sudarshan Singh R/o Village - Rehari, P.S.- Badahari, District - Rohtas.
 2. Sunil Chaudhary @ Sunil Kumar Son of Rameshwar Chaudhary R/o Village and P.S.- Badahari, District - Rohtas.
 3. Vishnu Dayal Singh @ Vishun Dayal Singh Son of Late Jagdish Singh @ Ram Byas Chaudhary R/o Village - Rehari, P.S.- Badahari, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishwajeet Kr. Mishra, Advocate Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Forest Case No. 04 of 2025 (4F/2025) lodged on 01.02.2025, for the offence punishable under Section 33 of the Indian Forest Act, 1927 (Act No. 16 of 1927) with Bihar Amendment 1989 along with allegation under section 52 of the said act.

3. As per the prosecution, FIR has been lodged against three named accused persons (all the present petitioners) with



allegation of cutting trees and the said trees have been ceased for the purpose of confiscation under section 52 of the Forest Act.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the said offence is cognizable and non-bailable, though, punishment prescribed under section 33 of the said act is imprisonment for a term which may extend to six months or with a fine which may extend to Rs.500/- or with both. Counsel further submits that from the bare reading of the FIR, it become crystal clear that the name of all the three petitioners has come in the FIR by virtue of suspicion only, because no one saw the alleged occurrence. The only material is hearsay against the petitioners. Counsel submits that only aspect of the matter which is against the petitioners is their criminal antecedents. The petitioner no.1 has three criminal antecedents, the petitioner no.3 has two criminal antecedents, whereas, the petitioner no.2 has no criminal antecedent. He submits that all those antecedents are not relating to Forest Act, rather, relating to I.P.C. and Arms Act. Counsel submits that under the Forest Act, 1927, section 33 is compoundable. He submits that section 68 of the Forest Act is very categorical and talks about the



compoundability of the offence. He further submits that there are different offences for which permission is required for compounding. But he submits that the present offence does not required any permission for compounding. He further submits that the petitioners are ready to compounding this case, but they have apprehension of arrest when they shall appear for the compounding. It is due to this reason, learned counsel for the petitioners submit that they be granted anticipatory bail, so that they with the help of lawyer shall appear before the court and pursue for closing of the case by way of the remedy available to them under the Forest Act.

5. Learned counsel for the State, on the other hand, opposes the prayer for bail of the petitioners and submits that the petitioner no.1 has three criminal antecedents and petitioner no.3 has two criminal antecedents, whereas, petitioner no.2 has no criminal antecedent. But, he fairly submits that those antecedents are not relating to Forest Act.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail as well as on being satisfied by the Trial Court that the petitioner nos.1 & 3 are not absconding in any of the cases pending against them whose details are mentioned below,



in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of C.J.M., Rohtas at Sasaram, in connection with Forest Case No. 04 of 2025 (4F/2025), subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. Pending cases against the petitioner no.1 are as follows:-

(I)- Karghar P.S. Case No. 246 of 2014

(II)- Karghar P.S. Case No. 115 of 2016

(III)- Karghar P.S. Case No. 356 of 2021

Pending cases against the petitioner no.3 are as follows:-

(I)- Karghar P.S. Case No. 115 of 2026

(II)- Karghar P.S. Case No. 356 of 2021.

(Dr. Anshuman, J)

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