

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41299 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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1. Salim Karori, S/o Sauda Karori, R/o vill- Kudwa Chainpur, PO- Kharha Chainpur, PS- Kundwa, District- East Champaran.
 2. Anil Karori @ Anil Mahto, S/o Sauda Karori, R/o vill- Kudwa Chainpur, PO- Kharha Chainpur, PS- Kundwa, District- East Champaran.
 3. Banshi @ Banshi Karori, S/o Laliya Karori, R/o vill- Kudwa Chainpur, PO- Kharha Chainpur, PS- Kundwa, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Forest Case No.01 of 2026, dated-02.01.2026, registered for the offences punishable under Sections 2, 9, 27, 29, 31, 32, 39, 48(a), 50 and 51 of the Wild Life Protection Act (Amendment 2022).

3. As per the prosecution case, during patrolling near Thori Bhawanipur main road, Forest Cell S/58, the Forest Officers heard some voice and when they reached near the persons assembled there, one of them fled away leaving behind



his motorcycle and some other belongings. However, three of them escaped into bushes and one of the co-accused, anish karori was apprehended and on search, one himalayan yellow-throated marten was recovered to be dead and the apprehended co-accused, anish karori confessed before the officials that the Himalayan Yellow-Throated Marten was killed by them. Even earlier, they used to kill such animal and eat them.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case only on the basis of suspicion and the so called confessional statement. Even as per the complaint, neither any incriminating material nor any firearms has been recovered from the accused persons or even from the place of occurrence. Even as per the allegation, only one motorcycle and a mobile was recovered from the co-accused and the place of occurrence. He further submits that even as per the Complaint, there was post mortem conducted on the dead body of the animal and thereafter, it was buried and the sample was sent for the forensic examination. However, there is no reference to any injury either external or internal on the dead body of the animal nor any offensive article has been received from the accused persons including the Petitioners. As a matter of fact, it was the first day



of the new year and they had gone to the forest for enjoyment but they have not committed any offence, nor has anybody claimed to have witnessed the incidence. There is all possibility of the animal having died a natural death.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering no recovery of any offensive article from the possession of the accused persons nor any finding of external or internal injury on the dead body of the animal, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Forest Case No.01 of 2026, subject to the conditions as laid



down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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