

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79182 of 2025

Arising Out of PS. Case No.-113 Year-2023 Thana- FOREST (GOVERNMENT OFFICIAL)
District- West Champaran

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Nek Mohammad Mian S/O Samsuddin Mian @ Samasudan Miyan R/O
Village- Bhatwaliya, P.S- Bairiya, Distt.- 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 : Ms.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-01-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 33, 41 and 42 of Indian Forest Act and Sections 2, 9,
27, 29, 31, 39 and 51 of the Wild Life Protection Act, 1972.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that cattle of petitioner and other accused
persons after breaking the fence of the forest were found grazing
in the forest area on account of which 151 varieties of new
plants were destroyed. Further, despite hectic efforts the cattle
could not be got as there was no rope around the forest area.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the complaint, it would manifest that the forest authorities found cattle grazing in the forest area but they were not able to apprehend even one cattle which casts an aspersion on the case of the prosecution that as to whether 151 plants of varieties were destroyed by the cattle who grazed in the forest area or the same was destroyed by the forest officials. It is also submitted that it absolutely does not stand to reason that on what basis it is being alleged that the cattle was found grazing in the forest area were identified as that of the petitioner.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for 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, is directed to be released on bail on his furnishing bail-bonds in the sum 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 Forest Case No.113



of 2023, subject to the conditions laid down under Section
482(2) of the B.N.S.S.

7. The application stands allowed.

(Satyavrat Verma, J)

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