[2026:JHHC:27472]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.4115 of 2023

Abdul Latif @ Latif Mian, Age about 73 years old, son of Rahimmiddin Mian, resident of Village – Pipra, Post – Tapin, P.S. – Charhi, Dist- Hazaribagh, Jharkhand.

.... …. Petitioner

Versus

1. The State of Jharkhand
2. The Divisional Forest Officer, Forest Division, Hazaribagh, P.O. + P.S. – Hazaribagh, District- Hazaribagh

.... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Mukesh Kr. Mehta, Advocate
Mr. Prem Mardi, Advocate
For the State : Mr. Prabir Kr. Chatterjee, Spl.P.P.

Order No:-11 Dated:-11-09-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure with the prayer to modify the condition of the order dated 01.07.2021 passed in A.B.A. No. 3998 of 2021 by this Court of showing the certificate from the concerned Forest Official mentioning therein that he has demolished the house constructed over the place of occurrence forest land and he has removed the construction material from there.

Learned counsel for the petitioner submits that vide order dated 07.08.2026 passed in this Criminal Miscellaneous Petition, the learned counsel for the petitioner submitted that the petitioner will file a supplementary affidavit annexing therewith the Geo Tagging of the place of occurrence land to show that except the trees and plants, there is nothing available on the place of occurrence land. Hence, it is

submitted that the prayer as prayed for in this Criminal Miscellaneous Petition be allowed.

Petitioner has filed the said supplementary affidavit.

From the same, it is very much visible that a house is situated at the place of occurrence land. The same is corroborated by the report submitted by the Divisional Forest Officer, Ramgarh addressed to Shri Prabir Kr. Chatterjee, Spl.P.P. filed by the Spl.P.P. – Shri Prabir Kr. Chatterjee.

Keep the same in the record.

In view of the same, it is apparent that from the inspection of the place of occurrence land, it has been found that the petitioner has not vacated the encroached land.

Under such circumstances, this Court is of the considered view that there is no rhyme or reason to modify the condition of the order dated 01.07.2021 passed in A.B.A. No. 3998 of 2021 by this Court.

Accordingly, this Criminal Miscellaneous Petition, being without any merit, is dismissed.

(Anil Kumar Choudhary, J.)

Dated:- 11.09.2026
Saroj/