

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 4448 of 2020

Manoj Kumar Pandey	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. R.S. Mazumdar, Sr. Advocate
For the State	: Mr. Suraj Verma, Spl. P.P.

Order No.02 Dated- 30.09.2020

Heard the parties through video conferencing.

Learned Senior Advocate appearing for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned Senior Advocate appearing for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with G.O. No.291 of 2015 registered under sections 33/41/42 of the Indian Forest Act, 1927 read with Indian Forest (Bihar Amendment) Act, 1989.

The Learned Senior Advocate appearing for the petitioner submits that the allegation against the petitioner is that petitioner is the Project Director of National Highways Authority of India presently posted at Dharbhanga, Bihar and earlier he used to be posted at Ranchi and during his tenure, one contractor was engaged for widening of road and it is alleged that the workman of that contractor has cut one *Simal* Tree in excess of 83 trees for which permission was granted. It is further submitted that the allegation against the petitioner are all false and the petitioner is not responsible for the cutting of the tree. It is then submitted that the petitioner undertakes that he will ensure that further no tree is cut from the forest without any valid permission. Hence, it is

submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saraikella, in connection with G.O. No.291 of 2015 with the condition that the petitioner will ensure that in future no further trees are cut from the forest without any valid permission subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-