

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3682 of 2025

1. Manoj Kumar Yadav, S/o Sukar Yadav.
2. Binod Kumar Sinha @ Vinod Kumar Sinha, S/o Ramballabh Sahay.

... .. Petitioners

Versus

The State of Jharkhand.

... .. Opposite Party

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Randhir Kumar, Advocate
For the State : Mr. Prabhu Dayal Sharma, Spl. P.P.

04/ 11.07.2025

Heard the parties.

2. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been preferred by the petitioners apprehending their arrest, for offence under Section 33 of the Indian Forest Act.
3. Learned Spl. P.P. representing the State opposes the prayer for anticipatory bail.
4. The allegation against the petitioners is that on 15 acres of land, recorded in the name of Forest Department, the petitioners were cultivating crop.
5. After going through the record, I find that it is not the case of the prosecution that the petitioners were cultivating poppy or any contraband material. Further, there is no allegation that the petitioners have destroyed the trees of the forest. The only allegation against the petitioners is that they were cultivating over the land, which is recorded as forest area.
6. Considering the aforesaid facts, I am inclined to allow this application.

7. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioners, above named, are directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of their surrender or arrest, they shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of the like amount each, to the satisfaction of learned Sub Divisional Judicial Magistrate, Hazaribag, in connection with Complaint Case No.2419 of 2022, subject to the condition that one of the bailers should be a close relative of the petitioners and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

(ANANDA SEN, J.)