

Sunita Devi Vs. the State of Jharkhand

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Court : Jharkhand

Decided On : Sep-01-2012

Appellant : Sunita Devi

Respondent : The State of Jharkhand

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 2483 of 2012
Vijay Uraon @ Vijayanand Bhagat Petitioner Versus The State of Jharkhand
... .. Opposite Party --- CORAM : HON'BLE MRS. JUSTICE JAYA ROY For the
Petitioner : Mr. Rajan Raj, Advocate For the State : A. P. P. 03/01.09.2012 Heard
learned counsel for the petitioner and learned counsel for the State. The petitioner
is apprehending his arrest in connection with the case registered under Sections
33 of the Indian Forest Act. Learned counsel for the petitioner submits that the
allegation against the petitioner is that he was cleaning the bush in the forest area
within the plot No.

435. It is contended that the petitioner is the owner of the plot No. 436 and he was
not cleaning any part of the plot No. 435, but he was cleaning the part of the plot
No.

436. He has further submitted that the authority concerned has not made any
measurement of the area of the plot numbers to verify whether the petitioner has
actually cleaning the bush of the part of the plot No. 435, as the plot No.436, which
belongs to the petitioner is adjacent to the plot No.

435. Learned counsel for the State has opposed but not disputed the aforesaid submissions made by the counsel for the petitioner and he has accepted that the petitioner is also having land adjacent to the plot No. 435 and it is not clear whether the petitioner was cleaning the part of his land i.e. plot No. 436 or part of the plot No.

435. Considering the facts and circumstances of this case, the petitioner, above named, is directed to surrender in the court below within a period of one month from the date of this order i.e. 01.09.2012. If he surrenders within the said period, the trial Court is directed to release him on bail, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Latehar in connection with C.F. Case No. 7 of 2011, subject to the condition that one of the bailors will be local resident having immovable property within the jurisdiction of the District concern and also subject to the conditions laid down under Section 438(2) of the Cr.P.C. (Jaya Roy, J.) Satayendra

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