

AB 243/2016

BEFORE

THE HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

Heard the learned counsel for the petitioner. Also heard Mr. BB Gogoi, learned Additional Public Prosecutor, Assam.

This anticipatory bail application has been filed under Section 438 Cr.PC, on behalf of the accused petitioner, namely, Sri Roma Kanta Bodo, in connection with CR Case No. 74/2015 corresponding to WL(P) Case No. 4(M)/2015 under Section 40/41 of the Assam Forest Regulation 1891 Vol.II and under Section 27/29/51/52 of the Wildlife Protection Act 1972.

Perused the case record and the offence report annexed with the report.

It is to be noted that without going to the case records, the matter can be decided on the basis of the alleged offence, FIR and the seizure list, etc annexed in the report.

Allegation is with regard to handsawing of timber, which has been seized by the IO as shown in the records. It is not a case of hunting of wild animal in the purview of Wildlife Protection Act.

Learned Addl. PP, Assam submits that other sections mentioned in the FIR is not attracted in this case.

Considering all aspects of the matter, I am of the view that the petitioner may be allowed to go on anticipatory bail.

Accordingly, the petitioner, namely, Roma Kanta Bodo, is allowed to go on pre-arrest bail on furnishing a bail bond Rs. 20,000/- with one local surety of the like amount to the satisfaction of the Range Forest Officer, Digboi Range.