

GAHC010048392024



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Crl.Pet./258/2024**

DIPANKAR PEGU  
S/O SRI LAKHYA PEGU, R/O VILL- PAKEN, P.S.-GOHPUR, DIST-  
BISWANATH, ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SPECIAL PUBLIC PROSECUTOR  
WILDLIFE AND FOREST DEPARTMENT

3:GUNAJIT TALUKDAR  
RANGE FOREST OFFICER  
EASTERN RANGE  
AGORATOLI  
KAZIRANGA NATIONAL PARK  
BOKAKHAT  
DIST- GOLAGHAT  
ASSA

**Advocate for the Petitioner : MR. L GOGOI**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 11-03-2024**

Heard Mr. B. Chanda, learned counsel for the petitioner as well as Mr. B. Goswami, learned Special PP, Wildlife.

This is an application under section 482 Cr.P.C. for setting aside the order passed by the learned SDJM (M), Bokakhat in CR case no.08/2017 whereby P&A was issued against the petitioner.

It is submitted by the learned counsel for the petitioner that earlier bail was granted to the petitioner. Subsequently he went to Kerala and as such he was not in a position to appear before the learned trial Court while summons were issued to him.

Subsequently, on the basis of the report of the jurisdictional police station that the petitioner is not available, warrant of arrest and P&A was issued against the petitioner. According to learned counsel for the petitioner, petitioner is now ready to face trial and prays to re-call the P&A.

On the other hand, learned Special PP submits that the petitioner may approach before the trial Court seeking regular bail.

In view of the above, the matter is disposed of with a direction to the petitioner to appear before the concerned trial Court and if bail application is filed, the learned trial Court shall consider the matter in accordance with law.

**JUDGE**

**Comparing Assistant**