

GAHC010187772024



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

Case No. : Bail Appln./2768/2024

BEDANGA KUMAR KASHYAP
S/O LATE MUNINDRA NATH SHARMA, R/O PANKA VILLAGE, GOLAGHAT,
ASSAM, P.S.-NUMALIGARH NRL OUTPOST, CK77 CHANDRAKAUSH NRL
TOWNSHIP, PIN-785699

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE DIVISIONAL FOREST OFFICER, GOLAGHAT (T)
DIVISION

Advocate for the Petitioner : MR. A K BHATTACHARYYA, MR D K BHATTACHARYYA, MR.
M KHATANAR

Advocate for the Respondent : SPECIAL PP ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 20.09.2024

Heard Mr. A.K.Bhattacharya, learned Senior Counsel assisted by Mr. M.Khataniar,
learned counsel for the petitioner. Also heard Mr. K.P.Pathak, learned Standing
Counsel appearing for the respondent Forest Department.

By filing this petition under Section 483 of Bharatiya Nagarik Surakshya Sanhita, 2023 the accused-petitioner, namely, **Bedanga Kumar Kashyap** has prayed for grant of bail in connection with Offence Report No. G/WL/02 of 2024-25 under Section 51 of Wild Life Protection Act, 1972 r/w Wild Life (Protection) (Assam Amendment) Act, 2009.

The learned Senior Counsel for the petitioner submits that the petitioner has been in judicial custody for last 58 days since his arrest on 24.07.2024. Charge sheet has not been submitted and as such, considering length of detention, petitioner may be enlarged on bail.

The learned Standing Counsel has produced the offence report and submits that the investigating officer has reported that investigation is almost complete in connection with the case and further detention of the petitioner is not necessary for the purpose of investigation.

Having heard the learned counsel for the parties and on perusal of records, it appears that the petitioner is in judicial custody for last 58 days and charge-sheet has not been submitted in the case and as such, considering length of detention, this Court is of the considered opinion that further custodial interrogation of the petitioner in the interest of investigation is not warranted.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 30,000/-** with a surety of like amount to the satisfaction of the learned **CJM, Golaghat**, subject to the following conditions;-

- (i) That the petitioner shall cooperate with the Investigating Officer as and when required;
- (ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

facts of the case so as to dissuade him from disclosing such facts to the Police Officer or the Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

JUDGE

Comparing Assistant