

GAHC010200292023



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

Case No. : AB/3061/2023

PIKE PULU @ PIKE POLU
SON OF LATE YIMUNE PULU, RESIDENT OF DAMBUK, SIRANG, LOWER
DIBANG VALLEY, P.S. DAMBUK, P.O. DAMBUK, PIN- 792110, DISTRICT-
CHANGLANG, ARUNACHAL PRADESH

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR Z KAMAR

Advocate for the Respondent : SPL PP WILDLIFE FOREST ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

15.02.2024

Heard Mr. B. Talukdar, learned counsel for the applicant and Mr. B. Sarma, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with **Offence No. G/12 of 2023-2024**, under Sections 9/39/40/44/48(A)/49(B) punishable under Section 51 of the Wildlife (Protection) Act, this application under Section 438 of the Code of Criminal Procedure, 1973, is preferred by applicant namely, **Pike Pulu @ Pike Polu** for grant of pre-arrest bail.

3. The said case was registered on the basis of a complaint lodged by ASI Krishna Roy, on 20.07.2023. The essence of allegations made in the FIR is that acting on a tip off he along with his staff, has arrived at the Petrol Pump near ISBT, Betkuchi and found one black colored Scorpio vehicle inside the petrol pump and apprehended one person namely, Tamo Kaye and recovered one Tokay Gecko from his possession and seized the same, preparing seizure list in presence of witnesses.

4. Mr. Talukdar, learned counsel for the applicant submits that this Court was pleased to grant interim protection to the applicant, vide order dated 08.09.2023, and pursuant to the said order, the applicant had appeared before the IO on 3 occasions and has been cooperating with the investigating agency and therefore, it is contended to make the interim order dated 08.09.2023, absolute in the same terms and conditions.

5. On the other Mr. Sarma, learned Additional Public Prosecutor by producing the case diary before this court, submits that though the applicant had appeared before the IO, the IO has collected some materials against him and therefore, it is contended to dismiss the petitions.

6. Having heard the submissions of learned Advocates of both sides, I have carefully gone through the petition as well as the documents placed on record and also perused the Case Diary with the assistance of learned Additional Public Prosecutor.

7. In view of the submissions of learned counsel for both the parties and also considering the fact that the applicant has been cooperating with the investigating agency and also considering the progress of investigation, this Court is of the view that his custodial interrogation seems to be unwarranted in the interest of investigation. And therefore, this Court is inclined to make the interim order dated **08.09.2023, absolute** in the same terms and condition.

- 8.** In terms of above this AB stands disposed of.
- 9.** The case diary be returned.

Comparing Assistant

JUDGE