

GAHC010290342023



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

Case No. : Bail Appln./4682/2023

MD NUR ISLAM @ DULAL
S/O MD. MEHER ALI R/O VILL. SIDHAGURI P.S. MAYONG DIST. MORIGAON
ASSAM PIN 782411

VERSUS

THE STATE OF ASSAM
REP BY THE SC FOREST DEPTT ASSAM

Advocate for the Petitioner : MR. S N TAMULI

Advocate for the Respondent : SPL PP WILDLIFE FOREST ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 05.01.2024

Heard Mr. S.N. Tamuli, learned counsel for the petitioner and the learned Special Public Prosecutor for the Wildlife Department under Forest Department of Assam.

This is an application under Section 439 Cr.P.C., filed by the petitioner, namely **Md. Nur Islam @ Dulal**, seeking bail, who was arrested on

09.11.2023 in connection with PWL Case No. 02/2023 under Sections 9/39/50 read with Section 51(2)(I)(i)(a) of the Wildlife Protection Act, 1972.

It is submitted by the learned counsel for the petitioner that the petitioner was arrested on 09.11.2023 and since then he has been languishing in jail hajat by completing 57 days. Considering the length of detention, the petitioner may be enlarged on bail.

The learned Special PP has produced the offence Report and has submitted that considering the period of detention, the petitioner may be enlarged on bail.

I have perused the offence Report.

In view of the above and considering the length of detention, prayer for bail is allowed.

Accordingly, it is directed that the accused/ petitioner above named, be released on bail in connection with PWL Case No. 02/2023 under Sections 9/39/50 read with Section 51(2)(I)(i)(a) of the Wildlife Protection Act, 1972 on furnishing a bond of Rs. 50,000/- (Rupees fifty thousand) with 2 (two) suitable sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Morigaon.

The direction for bail is further subject to the conditions that the accused-petitioner:

- (a) shall not leave the territorial jurisdiction of the learned Chief Judicial Magistrate, Morigaon, without prior written permission from him/ her;
- (b) shall not hamper with the investigation and tamper with the

evidence of the case; and

(c) 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/ her from disclosing such facts to the Court or to any police officer.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant