

GAHC010294832023



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

Case No. : Bail Appln./4709/2023

KHWRWMSHAR BRAHMA @ KHURWMSHAR BRAHMA AND ANR
S/O SURESH CHANDRA BRAHMA
R/O VILL- KASHIBARI
P.S. DHALIGAON
DIST. CHIRANG, ASSAM

2: BIRKHAT NARZARY @ BIRKHT NARJARY
S/O PANIRAM NARZARY
R/O VILL- MAREGAON
P.O. JARKONA
P.S. TAMULPUR
DIST. BAKSHA
ASSA

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2: THE FOREST DEPARTMENT

REPRESENTED BY THE STANDING COUNSEL
FOREST DEPARTMENT
ASSA

Advocate for the Petitioner : MR. M I HUSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 04-01-2024

- 1.** Heard Mr. M.I. Hussain, learned counsel for the petitioners.
- 2.** The petitioners, namely, (1) Khwrwmshar Brahma @ Khurwmshar Brahma and (2) Birkhat Narzary @ Birkhat Narjary have filed this application under Section 439 Cr.PC with prayer for bail as he is in bars since 07.11.2023 in connection with OR No. BGN/06 of 2023-24 registered u/s 9, 39, 48(A), 49(B), 50, 51 and 57 of Wild Life Protection Act, 1972 and Section 379 of IPC.
- 3.** Heard Mr. R. Borthakur, learned counsel on behalf of Mr. D. Gogoi, learned Special PP, Wildlife Forest, Assam. Also heard Ms. S.H. Bora, learned Addl. PP for respondent No. 1.
- 4.** It is submitted that offence report has been laid against the present petitioners and the petitioners approached the learned CJM for bail. The bail prayer was rejected as the case is triable by the Sessions Court.
- 5.** The petitioners are at liberty to approach the learned trial Court and apply for regular bail, which may be considered by the trial Court as per law.

The matter is closed.

JUDGE

Comparing Assistant