

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.90 OF 2022

(PRAFULLA RAJDHAR GHODESWAR....VS.. STATE OF MAH. THR. FOREST OFFICER, SEMINARY
HILLS, NAGPUR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.B.Lokare, Advocate for Applicant.
Shri M.J.Khan, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : MARCH 07, 2022.

1. Heard.

2. The applicant is seeking pre-arrest bail in connection with Crime No. 05018-125430, registered on 11/01/2020 with the Department of Forest for the alleged commission of offences punishable under Sections 9, 39, 44(1)(a)(iv), 48-A, 50, 51 of the Wildlife (Protection) Act, 1972. The POR came to be registered initially against two accused persons with regard to the possession of Red Sandboa (Mandul Snake) *Fryxjohnii* schedule reptile, as per Schedule IV at Sr.No.3. During the investigation, it is revealed that the present applicant is connected with the aforesaid offence and he deals in the illegal business of sale and purchase of reptiles, specifically two mouth snakes which is a rare species and scheduled reptile and protected under the provisions of the Wildlife (Protection) Act, 1972.

3. The learned counsel for the applicant submits that there is no criminal antecedent of the applicant and he has been falsely implicated in the present matter.

4. On the other hand, the learned A.P.P. has pointed out from the case diary that the CDR is collected and from the CDR it is revealed that the applicant is connected with the alleged offence. It is revealed from the CDR that the applicant has shown his willingness to sell the said snake for an amount of Rs.5,00,000/-. Thus, it is submitted that the custody of the applicant is necessary for the further investigation.

5. On perusal of the case diary and after going through the contents of the complaint, sufficient incriminating material is available in the form of CDR and Statements of Witnesses. In that view of the matter and as the offence is serious, I am not inclined to allow this application.

The application is, accordingly, **rejected**.

JUDGE