

D/L 266
February 3, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 29 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 04.01.2023 in connection with C. R. Case No. 1002 of 2022 arising out of POR no. 32/DG of 2022-2023 dated 08.11.2022, commission of Forest Offence under Section 9, Section 34, Section 39, Section 44, Section 49-A, 49-B of the Wild Life Protection Act, 1972.

And

In the matter of: Sanduk Roy @ Guli Roy @ Goli Roy

.... petitioner

Mr. Saikat Chatterjee,
Ms. Matan Chakraborty

... for the petitioner

Mr. Ujjwal Luksom,
Mr. Dhiman Sil

... for the State

Learned counsel for the petitioner contends that the petitioner has been sought to be incriminated on the basis of the statement of a co-accused. Particularly, keeping in view of the nature of the allegations and that the allegations have been made under the Wild Life Protection Act, 1972, where strict compliance is a pre-requisite, it is submitted that the petitioner ought to be granted anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail.

However, keeping in view the circumstances as indicated above,

CRM (A) 29 of 2023 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.2,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri. The petitioner shall not leave the territorial jurisdiction of the concerned police station during the entire period of investigation and shall cooperate with the investigation.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)