

Court No. 29
(266041)

CRM (A) 2563 of 2024

30.07.2024

(AD 103)

(S. Banerjee)

(Rejected)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with C.R. Case No. 214/2024 under Section 2(16), 9, 39(A) and punishable under Section 51 of Wild Life Protection Act, 1972, and its latest amendment 2022.

And

In the matter of: **Nabanita Bhowmik @ Nabanita Bhaumik & Anr.**

...petitioners

Mr. Arup Kumar Bhowmick
Mr. Amitabha Karmakar

... for the petitioners

Mr. Ranabir Roy Chaudhury
Mr. Karan Bapuli

... for the State

1. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated. They are employees of one Bhaumik Hindu Hotel.
2. Learned counsel for the State submits that 22 number of Indian Soft-shell turtle prohibited under Schedule 1 Serial 47 of the Wildlife Protection Act, 1972 have been recovered from the possession of the accused no. 1.
3. Considering the fact that it prima facie appears that the petitioners have committed an offence in view of Section 51A of the Wildlife Protection Act, 1972, the petitioners have not been able to rebut the presumption.

4. Under such circumstances we are not inclined to grant anticipatory bail to the petitioners.
5. Therefore, the application for anticipatory bail stands rejected.

(Uday Kumar, J.)

(Soumen Sen, J.)