

09.04.2025
Item no. 10.
Court No.4.
AB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM (R) 6 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with POR Case No.02/JPW/2024/2025 Dated 22.05.2024 under Section 51 of the Wildlife Protection Act 1972

And

In the matter of : Tapas Barman **.....Petitioner.**

Mr. Hillol Saha Poddar,
Ms. Mousumi Dasfor the Petitioner.

Mr. A. S. Chakraborty, Id. APP
Mr. Aniruddha Biswasfor the State.

1. Learned Advocate for the petitioner and learned Advocate for the Opposite Party/State of West Bengal are present.
2. Heard learned Advocates for the parties.
3. Perused the materials in the case diary.
4. Learned Advocate for the petitioner submits that his client has been falsely implicated in the instant case and there is no independent witness to support the case of the prosecution.
5. It is further submitted that the petitioner is in custody for 11 months. Till date, the trial is not concluded.

6. Learned Advocate for the Opposite Party/State of West Bengal submits that the allegations against the petitioner are serious. During search, skin of leopard was seized from the petitioner and other accused persons, which is a serious offence. Learned Advocate further submits that at this stage, the petitioner may not be released on bail.
7. Upon perusal of the materials in the case diary and considering the maximum punishment provided under Section 51 of the Wildlife Protection Act, 1972 and considering the period of detention the petitioner has already undergone and the fact that trial is yet to conclude, in the interest of justice, the petitioner should be released on bail.
8. Thus, the prayer for bail made by the petitioner is allowed.
9. Accordingly, the petitioner, namely **TAPAS BARMAN** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/-each, one of whom must be local, to the satisfaction of the learned Trial Court, and on further conditions that the petitioner upon being released on bail shall not leave the jurisdiction of the learned Trial Court until further orders and shall not do any act prejudicial to trial.
10. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not

intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

11. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
12. The application for bail is, accordingly, allowed.
13. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)