

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2047 OF 2024

SURAJ BALAI PRAMANIK

...APPLICANT

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Savvy Kolhekar i/b Aniket Vagal for the Applicant.

Adv. Supriya Kak, APP for the State.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 10, 2025

P.C.:

1. The present anticipatory bail application has been filed by the applicant seeking pre-arrest bail, in connection with The Deputy Conservator of Forest, Mumbai Division in C. R. no.WL-01/2024-25 for the offences punishable u/s. 9, 39, 44, 48,48(A), 51 of the Wild Life (Protection) Act, 1972 (Amendment Act 2022).

2. Ms. Kolhekar, learned counsel for the applicant submits that the notice was issued to the applicant on 11 June, 2024 by the Forest Department, State of Maharashtra which stated that the applicant should attend the office of Forest Department situated at Masjid Bandar, Mumbai-1. She further submits that the applicant was arrested by the Forest Department near the CST Railway Station, Mumbai-1. She

submits that though the notice dated 11 June, 2024 is on letter head of Forest Department, State of Maharashtra, showing address of Thane, however, as the applicant was arrested near the CST, Mumbai-1, when he handed over the alleged animals to the officers, and he was also attended the Forest Department Office at Masjid Bandar, the jurisdiction to file an anticipatory bail application would always be in Sessions Court, Mumbai. She further submits that the alleged animals mentioned in the present crime at the most would falls under Schedule -II of Wild Life (Protection) Act, 1972 (Amendment Act 2022). She submits that punishment has mentioned in the Act would be only to those animals which falls under Schedule-I of Wild Life (Protection) Act, 1972 (Amendment Act 2022).

3. The learned APP submits that the investigating officer is not present in the Court today and she requires to take instructions from the investigating officer first to check whether the applicant has handed over the alleged animals to the police and whether the custody of the present applicant is required or not ?

4. Stand over to **11 March, 2025**.

5. In the meanwhile, no coercive steps be taken against the applicant.

(RAJESH S. PATIL, J.)