

**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 11, 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 interrogated 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. Mr. Kolhekar, learned counsel for the applicant submits that on 9 June 2024 the applicant was interrogated by the Forest Department near CST Railway Station where two Channa Barca snakehead were found in the custody of the present applicant. Thereafter, notice dated 11 June 2024 was issued by the Forest Department directing the applicant to attend the office of the Forest Department on 12 June 2024. She submits that on 12 June 2024 the officers of the Forest Department visited the house of the applicant at Vasai, where they found 12 Snapping Turtles. She submits that there is nothing to be recovered from the applicant. The applicant is ready to

co-operate with the police. Therefore, the custody of the applicant is not required.

4. The learned APP submits that inspite of notice being issued to the applicant, the applicant is not ready to co-operate and is not disclosing the source from where the present applicant had procured the said animals.

5. After hearing both the sides and by taking into consideration the documents placed before me, as of now, according to me, suffice would be the purpose if the applicant is directed to attend the office of the investigating officer in order to record their statement.

6. The applicant is directed to co-operate with the investigating officer and to attend the office of the investigating officer on 13 March 2025 between 10.00 am to 2.00 pm and thereafter on 15 March 2025 between 11.00 am to 1.00 pm.

7. Stand over to **18 March 2025** under the caption “**for urgent circulation.**”

8. Till the next date of hearing, no coercive steps be taken against the applicant.

(RAJESH S. PATIL, J.)