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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./3112/2026

SRI-MOGE DOYE AND ANR.
SON OF NYAMO DOYE, RESIDENT OF VILLAGE SEREN, P.O. NARI, POLICE STATION- NARI, DISTRICT-LOWER SIANG, ARUNACHAL PRADAESH

2: SRI NOKPHUA WANGSA
SON OF WANGTIN WANGSA RESIDENT OF VILLAGE BORDUMSA
P.S- BORDUMSA
DISTRICT CHANGLANG
ARUNACHAL PRADES

VERSUS

THE STATE OF ASSAM
THROUGH PUBLIC PROSECUTOR, ASSAM, GAUHATI HIGH COURT

Advocate for the Petitioner : MR. A K PURKAYASTHA, MR. S SHARMA,MS. K R PAUL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 04.11.2026

Heard Mr. A.K. Purkayastha, learned counsel for the accused applicants. Also heard Mr. K.K. Das, learned Additional Public Prosecutor appearing for the State respondent.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for granting bail to the accused-applicants namely, 1. Sri-Moge Doye & 2. Sri Nokphua Wangsha in connection with Sonapur Police Station Case No. 146/2026, registered under Sections 61(2)/303(2)/318(4)/325/111(6) of the BNS, 2023, read with Section 9/39/48/51 of Wild Life (Protection) Act, 1972.

3. The brief facts of the case is that on 25.09.2026 SI(P) Bishal Gorshai of Sonapur Police Station lodged an FIR before the Officer-In-Charge, Sonapur Police Station to the effect that a credible information was received regarding illegal smuggling of wildlife products.

4. On receipt of information, a special team was formed and the police conducted a raid at Manipuri Dhaba, Medhikuchi within the Sonapur Police Station, during the operation, the police apprehended two persons from Arunachal Pradesh namely Sri-Moge Doye & 2. Sri Nokphua Wangsha. On search, the police recovered six numbers of black articles suspected to be Musk Deer Pods (Gland) with total 158 grams along with three mobile phones and other articles. The apprehended persons could not produce any legal documentation of possession of the recovered goods.

5. On the basis of the FIR, police registered Sonapur Police Station Case No. 146/2026 under the aforementioned Sections.

6. The learned counsel for the accused applicant submits that the accused applicants have been in judicial custody for the last 40 days and therefore, further custodial detention of the accused applicants may not be required in the instant case. He further submits that there is no criminal antecedent of the accused applicants in the instant case and they have been found involved in carrying musk deer pods for the first time. He further submits that since the accused applicants have spent sufficient days behind the bars, the accused applicants should be granted bail.

7. Case diary in the instant case has been received and the same is perused

8. The learned Additional Public Prosecutor opposes the prayer for bail.

9. Taking into account the entire facts of the case and the fact that the accused applicants have already been behind the bars for the last 40 days, this Court is of the considered opinion that the accused applicants should be granted bail at this stage.

10. Accordingly, it is directed that the accused applicants named above shall be released on bail on furnishing bail bond of Rs.50,000/- each with one surety of like nature to the satisfaction of learned CJM, Kamrup(M) subject to the conditions:-

i) the accused applicant shall cooperate with the investigation and make themselves available as and when called for by the Investigating Officer;

ii) the accused applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

10. In terms of the above, the instant application is disposed of.

JUDGE

Comparing Assistant