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2026:GAU-AS:15356

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

**Case No. : Bail Appln./3257/2026**

SRI RIPUL RABHA
S/O LATE KRITANATH RABHA, R/O BONGAON, P.O. GAMERIMURA, P.S. BOKO, DISTRICT KAMRUP R, ASSAM. .

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE SPECIAL PUBLIC PROSECUTOR, WILDLIFE, ASSAM

**Advocate for the Petitioner** : MR D SAIKIA,

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

**ORDER**

**Date : 12.10.2026**

Heard Mr. D. Saikia, learned counsel, appearing on behalf of the accused-applicant. Also heard Mr. B. Sarma, learned Special P.P., Wildlife.

**2.** This is an application filed under Section 483 of the BNSS, 2023, praying for grant of bail to the accused-applicant in connection with Case No. Memo No.

RR/33/Offence/433, registered under Sections 9/39/48A/49/50/51 of the Wild Life Protection Act, 1972.

**3.** The gist of the case is that on 07.08.2026, at around 4:00 PM, a department team of Forest Department intercepted a scooter bearing Registration No. AS-01-FK-9127 near Kurhiyamari/NH-17 area and recovered seven (7) live Tokay Geckos. Accordingly, two persons were arrested and the same was intimated to the Forest Range Officer, Rangjuli range, vide Memo No. DH/03/OR/2026/84 and the aforesaid Tokay Geckos were duly seized by preparing a seizure memo.

**4.** The learned counsel for the accused-applicant submits that since the accused-applicant has been behind bars for the last 67 days, he should be granted bail at this stage. He submits that the accused-applicant will appear before the Trial Court as and when required.

**5.** Mr. B. Sharma, the learned Special PP, on the other hand, opposes the bail application, stating that Offense Report, vide No. RR/17, dated 23.09.2026 has been already filed before the learned CJM, Goalpara and submits that because the offense report has been filed within time, the accused-applicant should not be released on bail at this stage.

**6.** This court has gone through the Offense Report and the other materials on record.

**7.** Taking into consideration the fact that the accused-applicant and the other co-accused were allegedly engaged by other individuals for a payment of Rs. 2,000/- rupees each, that they were not directly involved in the illegal capture and sale of Tokay geckos, and that they have already spent 67 days in custody, this court is of the opinion that the accused-applicant should be granted bail at this stage.

**8.** Accordingly, it is directed that the accused-applicant be released on bail upon furnishing a bail bond of Rs. 30,000/- (Thirty Thousand) with a surety of like amount to the satisfaction of the Chief Judicial Magistrate, Goalpara, subject to the conditions that the accused-applicants shall cooperate with the investigation and shall not directly or indirectly, induce, threaten or influence any witness, or tamper with the evidence of the case.

**9.** In terms of the aforesaid directions, the instant bail application is disposed of as allowed.

**JUDGE**

***Miriam Degu***
***(SPA)***