

03.06.2026
Item No.JPD 01
Ct. No. 7
PG

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
FROM PRINCIPAL BENCH
C.R.M.(R) 21 of 2026**

In Re:- An application for bail under Section 483 of the B.N.S.S., 2023 in connection with P.O.R. No. 73/KB of 2025-2026, (Kodalbosti Range under Jaldapara Wildlife Division) dated 22.02.2026 under sections 9/39/49(B)/51(1) of Wildlife Protection Act, 1972 (Amendment 2022) corresponding to C.R. Case No. 71 of 2026 of CJM APD Court, pending before the learned Chief Judicial Magistrate at Alipurduar.

And

In the matter of : **Yakub Ekka & Anr.**Petitioners

Mr. Kallol Acharjee
Mr. Prajnadipta Roy
Mr. Abhishek Singh.....for the petitioners

Mr. Jagriti Mishra, Ld. AAAG
Ms. Madhushri Duttafor the State

1. Learned counsel for petitioners has submitted that petitioners are in custody for 101 days. Investigation is complete. There is no need for further detention of the petitioners in the custody.
2. Learned counsel appearing for the State has opposed the prayer for bail. According to him, the learned Chief Judicial Magistrate has decided to proceed with the trial keeping the petitioners in custody.
3. He has further submitted there are only 5 witnesses and the State can conclude the trial within 60 days. If the petitioners are enlarged on bail, there is a chance of flight risk.

4. However, I have found that the petitioners are in custody for more than 101 days. Investigation is complete and the petitioners have permanent hearth and household in the locality.
5. In view of the fact that the investigation is complete, I am inclined to allow the prayer for bail of the petitioners after keeping the order of custody trial as passed by the learned Chief Judicial Magistrate in abeyance.
6. Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs. 1,00,000/-(Rupees One Lakh) each with two sureties of Rs. 50,000/-(Rupees Fifty Thousand) each out of which one must be local to the satisfaction of the learned Chief Judicial Magistrate, Alipurduar and on further condition that the petitioners shall meet the Inspector-in-Charge, Samuktala Police Station twice in a week until further orders.
7. The petitioners shall appear before the trial court on each and 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.
8. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail

in accordance with law without further reference to this Court.

9. The application for bail is, accordingly, allowed.

10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)