

Present Mr. C. B. Gogoi, Sessions Judge,

Sonitpur, Tezpur

Misc.(Crl) Case No. 232/2021

ORDER

04-08-2021

Seen petition No. 778/2021 filed by accused/petitioner Biman Mili seeking pre-arrest bail, in connection with NNP/Offence/(01/21-22)/2021-642-43 dated 11-07-2021 u/s 27/29/31/35/38(V)/39/52 r/w Section 51 of Wild Life Protection Act.

I have heard the learned lawyers appearing for both sides and also gone through the contents of the offence report received today.

Learned counsel appearing for the State submitted that there is serious allegation against accused of having committed offence of destroying our reserve forest by illegally cutting valuable trees and carrying the same through river water. The act of the accused alleged in the offence report is very serious in nature. So, accused person may not be released on bail.

On the other hand, learned counsel appearing for the accused Sri B.K. Basumatary arduously contended that the present accused/petitioner Biman Mili is not at all involved in the alleged offences. But, unfortunately the forest officials have been searching him only on the suspicion of having involved in the present case of alleged felling of trees. Therefore, the learned counsel for accused/petitioner Biman Mili prays for granting pre-arrest bail contending that the petitioner is totally innocent.

Having heard the learned counsel appearing for both sides and on careful perusal of the offence report including the statement of apprehended accused persons recorded by forest officials clearly reveals that accused were frequently involved in such illegal acts of cutting forest resources by illegally entering into the reserve forest equipped with illegal cutting instruments. The complicity of the accused/petitioner in the alleged illicit felling of trees in the reserve forest is writ large in the offence report.

Therefore, considering the nature and gravity of the offence, this court do not consider it a fit case to extend the benefit of pre-arrest bail to accused/petitioner Biman Mili. In the result, bail petition stands rejected.

Send back the offence report in seal cover.

Accordingly, the bail petition is disposed off.

Sessions Judge
Sonitpur, Tezpur