
(2023) 09 OHC CK 0200

Orissa High Court

Case No: Bail Application No. 10483 Of 2023

Uttam Pradhan &
Another

APPELLANT

Vs

State of Orissa

RESPONDENT

Date of Decision: Sept. 27, 2023

Acts Referred:

Code of Criminal Procedure, 1973 " Section 439#Wild Life Protection Act, 1972 " Section
9, 17, 27, 31, 39, 43, 44, 48, 48(A)

Citation: (2023) 09 OHC CK 0200

Hon'ble Judges: V. Narasingh, J

Bench: Single Bench

Advocate: N. Panda, A. Pradhan

Final Decision: Disposed Of

Judgement

V. Narasingh, J

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The petitioners are accused in connection with 2(b)CC No.03 of 2023, pending on the file of the learned J.M.F.C., Harabhanga, arising out of

Kusang Wildlife Range Offence Report No.02(K) of 2023-24, for alleged commission of offences under Sections 9/17/27/31/39/43/44/48/48(A) of

Wild Life Protection Act.
3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Boudh, by order dated 23.08.2023 in

the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioners are in custody since 08.08.2023 on the accusation of possession of pangolin Scale and its

products along with country made gun and gunpowder.

5. It is stated by the learned counsel that the petitioners are the first offenders.

6. Learned counsel for the State opposes the prayer for bail during currency of investigation.

7. Taking into account that the petitioner No.1 is aged about

60 years and the petitioner No.2 is a young lady, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court

in seisin.

8. Before releasing the petitioners, learned Court in seisin is called upon to verify criminal antecedent of the petitioners. If it comes to the fore that the

petitioners have any criminal antecedent, this order shall stand recalled.

9. Additionally, it is directed that the petitioners shall cooperate with the ongoing investigation and shall appear before the Investigating Officer as and

when summoned.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

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