GAHC010220932026

2026:GAU-AS:15677

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

Case No. : Bail Appln./3110/2026

SRI LARJIV DULOM
SON OF TALAR DULOM, RESIDENT OF VILLAGE SIKARIJO, POLICE STATION-DAPORIJO, P.S- DAPORIJO, DISTRICT-UPPER SUBANSIRI, ARUNACHAL PRADAESH

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, MR. D GOGOI, SPECIAL PP, FOREST & WILDLIFE

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 14-10-2026

1. Heard Mr. A.K. Purkayastha, the learned counsel appearing for the accused-applicant. Also heard Mr. I. Borthakur, learned counsel appearing on behalf of Mr. D. Gogoi, the learned Special P.P., Forest & Wildlife.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for granting bail to the accused-applicant, namely **Larjiv Dulom** in connection **DCR (Forest) Case No.01/2026** (corresponding to **Sadiya P.S. G.D.E. No.14/2026**) registered under Sections **9/39/48A/50/51** of the Wild Life Protection Act, 1972, punishable under Section **51** of the Wild Life Protection Act, 1972.

3. The gist of the case is that an intimation dated 05.09.2026 was given to the Range Forest Officer, Sadiya Range, Chapakhowa, by one Inspector Bhaskar Jyoti Das, O/C of Sadiya P.S., stating that on the last night at around 12:30 a.m., during naka checking at Thana Chariali, one Maruti S-Presso vehicle bearing registration No.AR-01P-5733 was checked and during checking, the vehicle was found with 22 nos. of hunted parakeets. Two suspected poachers, namely Larjiv Dulom and Kul Bahadur Pradhan were apprehended and brought before the police station. An airgun was also found in the vehicle.

4. On the basis of the information, a complaint was filed before the learned SDJM, Sadiya, Chapakhowa, Tinsukia by the Range Forest Officer. Accordingly, DCR (Forest) Case No.01/2026 was registered under the aforementioned sections.

5. The learned counsel appearing for the accused-applicant submits that the accused-applicant is behind bars for 39 days and the accused-applicant is not a regular poacher, as no antecedence of any crime regarding wildlife is against him. He further submits that the punishment in the instant case is 3 to 7 years and since the accused-applicant is behind bars for 39 days, the further

custodial detention of the accused-applicant may not be required. Therefore, he prays for bail of the accused-applicant.

6. Mr. I. Borthakur, learned counsel appearing for the Forest & Wildlife Department opposes the prayer for bail of the accused-applicant, stating that the punishment in the instant case is, in fact, 7 to 10 years as per the amendment in the Wildlife (Protection) (Assam Amendment) Act, 2009. He further submits that there are statutory embargos in granting bail to the accused persons under Section 51B of the aforesaid Act.

7. This Court has considered the materials available in the case diary that has been submitted before this Court as well as heard the submissions made by the counsel appearing for the respective parties.

8. Having found prima facie sufficient materials against the accused-applicant, this Court is not inclined to grant any relief to the accused-applicant at this stage.

9. Accordingly, the instant bail application is rejected.

JUDGE

Comparing Assistant