



**IN THE COURT OF THE II ADDL. DISTRICT & SESSIONS  
JUDGE, UTTARA KANNADA, KARWAR**

**DATED THIS THE 17<sup>th</sup> DAY OF MARCH, 2026**

**CRIMINAL MISC. CASE NO:96/2026**

**: PRESENT :**

**Sri. MAYANNA. B.L.,**

*B.A., LL.B.,*

II Addl. District & Sessions Judge,  
Uttara Kannada, Karwar.

**PETITIONER:**  
**ACCUSED**

Syed Mohamed Jaffer Barmavar  
S/o Syed Ali Barmavar  
Age: 43 years, Occ: Coolie,  
R/o: Nagappa Naik Road,  
2<sup>nd</sup> Cross, Bhatkal.  
Dist: Uttara Kannada.

(By [Smt.D.R.U](#), Advocate)

Vs.

**RESPONDENT:**  
**COMPLAINANT**

Range Forest Officer,  
Bhatkal Range, U.K.  
Rep. by Public Prosecutor  
Uttara Kannada, Karwar.

**ORDER**

The Petitioner/Accused has filed the present bail petition under Section 482 of BNSS, seeking anticipatory bail in the event of his arrest in Bhatkal Forest Range PS Crime No.1/2025-26, for the offences punishable under Section 9, 39(3), 49(B), 27, 31 R/w Section 51(1) of wild life protection act 1972.

2. The Petitioner/Accused has contended that he is innocent, having good respect, strong roots in the society and so far he has not involved in any offences. He has not committed any offences, as alleged in the complaint. The name of the Petitioner is simply inserted in this case, the Accused is no way related to the case. He is no way concerned with allegation as made in WLOR No.01/2025-26 of Bhatkal Range, Honnavar division. He submits that, as on the date of incident, he has visited the Cardiac Care clinic of Dr.B.V. Manjunath at Mangaluru and he was not in Bhatkal area. The Petitioner due to cardiac health issues, he went to take treatment and as some unknown persons, with malafide intention to harass the Petitioner, might be kept seized articles in the premises belongs to the Petitioner and the Complainant officials without verifying the falsity of the case has filed the case against the Petitioner. As the Petitioner no way concerned to the alleged crime. He has not committed any offences as alleged in the complaint. He is suffering from heart related issues and he is the lone earning member of his family and he is depending upon his earning. If the anticipatory bail is not granted to the Petitioner, then he will be put into great irreparable loss and injustice and the entire family members of the Petitioner will starve for food. He is the permanent resident of Bhatkal taluk and having landed properties. He is not a habitual offender and no case is registered against the Petitioner till day and since the said offence is non-bailable one, he is

having apprehension of arrest in the hands of police. The Accused undertakes that he will not hamper or tamper the prosecution witnesses, ready to abide by the terms and conditions, likely to be imposed by this Court and hence, the Petitioner/Accused prayed to allow bail Petition and grant anticipatory bail.

3. The learned Public Prosecutor has filed objections contending that the bail Petition filed by the Accused is contrary to law and hence, same is liable to be dismissed. It is contended that the Accused colluding with others, with an intention to hunting the wild animals, illegally trespassed into wildlife sanctuary with weapons which does not have any license or permit, hunted Guar/Indian Bison and Sambar deer with the said weapons, and thereafter, in order to sell the flesh, he has transported the same illegally and stored their flesh parts in his house. Hence, the Forest officials have conducted raid on the house of the Accused and have seized the same and thereby, they registered the case against the Accused. It is further contended that, the weapons which were used by the Accused for the commission of the same are yet to be seized. The other Accused persons, who are involved in the said crime, are yet to be arrested. At this stage, if the anticipatory bail is granted to Accused, then there is a chance of abscondence, he may commit similar offences. On these grounds, the learned PP sought for rejection of the bail Petition.

4. Heard the arguments addressed by the Counsel for Petitioner/Accused and learned Public Prosecutor.

5. The Points that arise for the consideration of the Court are as under:

1. Whether the Petitioner/Accused has made out sufficient grounds for enlarge him on anticipatory bail in the event of his arrest in Forest Crime No.01/2025-26 of Bhatkal Range?

2. What Order ?

6. The findings of the Court on the above points are as under:

Point No.1: In the Negative.

Point No.2: As per final order,  
for the following:

### **REASONS**

7. **Point No.1**:- Perused the bail petition, objections filed by the learned Public Prosecutor and also perused the copy of the Complaint and FIR and other documents on record. Based on the Complaint, the Bhatkal Range Forest Officials have registered the case against the Accused, in Forest Crime No.01/2025-26 for the said offences. It is alleged in the complaint that the Accused and others hand illegally trespassed into the wildlife sanctuary with weapons, hunted Guar/Indian Bison and Sambar deer with the said weapons, and thereafter, in order to sell the flesh, they

illegally transported the said flesh and have stored their flesh parts in their house. Hence, the Forest officials have conducted raid on the house of the Accused and have seized the same and thereby, they registered the case against the Accused.

8. It is relevant to mention here that illegally trespassing the wildlife sanctuary along with weapons and hunting wild animals is serious in nature. The allegations in the present case that, the Accused and others have trespassed into the wild life sanctuary and have hunted Guar/Indian Bison and Sambar deer with the said weapons, illegally transported the flesh and same was stored in their house in order to sell the same. The Forest Officials have conducted raid on the house of the Accused and have seized the flesh as mentioned below:

1. Gaur/Indian Bison (*Bos gauras*) skin 17 pieces – Weight 52.065Kg (sl.no.1-17).
2. Gaur/Indian Bison (*Bos gauras*) thigh bone 4 numbers- Weight 3.91Kg (sl.no.18-21).
3. Plastic covers with Suspected Guar/Indian Bison (*Bos gauras*) meat, cover 1(sl.no.22)=12.950 Kg, cover 2 (sl.no.23)= 1.255Kg, cover 3 (sl.no.24) = 7.405KG.
4. Sambar Deer (*rusa unicolor*) antler = 1 number (sl.no.25).

9. Further, though the offence under Section 9, 39(3), 49(B), 27, 31 R/w Section 51(1) of wild life protection act

1972 are not punishable with more than 7 years, but the said offences are very serious in nature and same shall not be taken in light. In such cases, if the bail is granted, it is nothing but encouraging the hunting of wild animals. The Hon'ble High Courts as well as Hon'ble Apex Court have taken serious view in order to save the wild animals and further, the Government have also enacted the laws to protect the wild animals. However, the Poachers have continued the hunting of wild animals illegally.

10. As per the prosecution the alleged incident took place and flesh was seized on 18/02/2026 and till today, the Accused is absconding. The IO report discloses that, the Forest Officials are yet to recover the weapons which were used for the commission of offence by the Accused persons and the other Accused persons, who are involved in the said crime, are yet to be arrested. The apprehension of the prosecution that, if the anticipatory bail is granted, there is a chance of tampering the evidence and also chance of abscondence, threatening the witnesses, cannot be ruled out. Therefore, by keeping in mind the nature of offences and also in order to save the wild animals from the hunters, this Court is of the opinion that, the bail petition deserves to be dismissed. With these observations, this Court proceeds to hold the above Point No.1 in the **Negative**.

11. **Point No.2:** For the reasons, discussed in the above point No.1, this Court proceeds to pass the following:

**O R D E R**

The bail Petition filed by the  
Petitioner/Accused under Section 482 of  
BNSS, is hereby dismissed.

(Dictated to the Stenographer directly on computer, typed by her, revised and corrected by me, signed and then pronounced in the Open Court on this the 17<sup>th</sup> day of March, 2026).

**(MAYANNA B.L.)**  
**II Addl. District & Sessions Judge,**  
**Uttara Kannada, Karwar.**