

Order dt.11.12.2025.

Heard the Ld. Advocate for the accused person who submitted that the accused person is innocent and not involved with the alleged offence and that the procedure of arrest has not been complied and that he was illegally arrested.

Heard the Ld.APP who contended that the grounds of arrest were mentioned verbally to the accused person, however, section 48 the Bharatiya Nagarik Suraksha Sanhita, 2023 is not complied.

It is evident from the record that section 47/48 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has not been complied and nothing transpires from the forwarding report that the said provisions could not be complied for a valid ground.

Considering the above and the fact that as per the mandate, provision Under section 47/48 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has not been complied, the accused person is liable to be enlarged on bail.

47/48 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has not been complied, he may be released on interim bail on furnishing bond of ₹ 5000/- with two registered sureties of ₹ 2500/- each with a direction to meet and assist the E.O as and when called for.

Now, the record is taken up for passing order in regard to prayer of the E.O for releasing the seized Indian turtles (30 number) including Indian flap shell turtle and Indian soft shell Turtle and for sending the pictures of the said turtles to Zoological Survey of India, Kolkata for scientific identification.

Considering the factual aspect of the matter in hand and attending circumstances the prayer of the E.O is allowed.

Accordingly, the E.O. is directed to release the seized Indian turtles (30 number) including Indian flap shell turtle and Indian soft-shell Turtle onto their natural habitat after recording the whole process of release through videography and still photo. E.O is also directed to preserve the said video/photos for future reference.

E.O is also at liberty to send the pictures of seized turtles to Zoological Survey of India, Kolkata for scientific identification.

To 09.01.2026 for appearance of the accused person.

Dictated by,

A.C.J.M.

Additional Chief Judicial Magistrate

Bidhannagar, North 24-Parganas