

**IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
GARHBETA, PASCHIM MEDINIPUR**

Present: Sri Vikramjit Sen
J.O. Code WB01178

Misc. Criminal Case No. 1 of 2024

CIS No.1 of 2024

Filing No. 35 of 2024

Order dated 20.01.2024:

Two accused persons, namely, **1. Ananta Bisui and 2. Soumen Das Mohanta** have been brought under arrest by Hoomgarh Forest Range Officer and produced before the Court today. They are taken into custody.

A forwarding report along with seizure list dated 19.01.2024, memos of arrest, inspection memos, medical examination report and accused challan. Let all the documents be kept with the case record.

One bail application is filed on behalf of the above named two accused persons along with vokalatnama duly accepted by Ld. Advocate Shyamal Kumar Mahapatra. Let them also be kept with the case record.

Heard Ld. Advocate of the accused persons.

Heard the Ld. APP who objected against the bail application and also submitted that the seized parakeets expired after recovery which should have been avoided.

Perused the forwarding report and connected documents.

Considered.

On perusal of the forwarding report I find that six (06) parakeets (Parrots) which are Schedule-IV item under the Wild Life Protection Act were seized from the possession of the accused persons. The complainant/Forest Range Officer, Hoomgarh Range was present before the Court at the time of hearing and he submitted that the seized parakeets have expired and their post-mortem examination are to be conducted.

Considering the materials on record and further considering the amendments introduced in the penal sections of the Wild Life Protection Act, at this early stage of investigation, this Court is not at all inclined to allow the bail application of the accused persons.

Accordingly, the bail prayer of the accused persons stands rejected and they are remanded to J/C 03.02.2024.

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Another prayer is submitted on behalf of the Forest Range Officer, praying for direction of the Court for conducting post-mortem examination of the seized 06 parakeets. The prayer be kept with the case record.

For the benefit of investigation, the prayer of the Forest Department for post-mortem examination of the parakeets is **allowed**.

Forest Range Officer, Hoomgarh Range is directed to forward these six parakeets to designated facility for conduct of post-mortem examination of the seized 06 parakeets.

It is further directed that the Forest Range Officer shall submit the Post-mortem report before this Court.

After post-mortem examination, these 06 dead parakeets are to be buried and photographs of the burial process to be submitted before the Court.

Let a copy of this Order be handed over to the Forest Range Officer for information and compliance.

Fix **03.02.2024** for production of the accused persons from J/C and submission of compliance report by the Forest Range Officer, Hoomgarh Range.

Dealing Assistant to do the needful.

Sd/-
A.C.J.M. (I/C.)
Garhbeta, Paschim Medinipur.