

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.118 of 2022

Karimi Sibaram Patro @ Dhuba ***Petitioners***
and another

-versus-

State of Odisha ***Opposite Party***

CORAM: JUSTICE S.PUJAHARI

ORDER

15.02.2022

Order
No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioners apprehending their arrest in Digapahandi P.S. Case No.174 of 2021 registered for alleged commission of offences punishable under Sections 294, 323, 506 read with Section 34 of the I.P.C., have filed this petition for their release on pre-arrest bail.
3. Heard the learned counsel for the Petitioners and the learned counsel for the State.
4. It appears that the Petitioners had earlier approached this Court in ABLAPL No.15320 of 2021, which was disposed of as infructuous, as learned counsel for the State had submitted that the Petitioner have complied with the notice under Section 41-A of Cr.P.C.

5. But, learned counsel for the Petitioners submits that the Petitioners have not received the notice under Section 41-A of Cr.P.C.

6. Considering the facts and submissions made, especially the nature and character of allegation and the fact that other co-accused have complied with the notice under Section 41-A of Cr.P.C, this Court directs that in the event of arrest of the Petitioners in connection with the aforesaid case, they be released on bail by the Officer effecting arrest on such terms and conditions as deemed just and proper.

7. However, the aforesaid order is subject to the condition that the Petitioners shall cooperate with the investigation and no other graver offence is reported against the Petitioners besides the aforesaid offences.

8. The ABLAPL is, accordingly, disposed of being allowed.

9. Urgent certified copy of this order be granted on proper application.

(S.Pujahari)
Judge