

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.272 of 2022

Rakesh Oram and another

....

Petitioners

Miss D. Nanda
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.D.K.Sahoo,
Addl. Standing Counsel Railways

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

01.2.2022.

Order No.

01.

1. This matter is taken up through virtual mode.
2. Heard Miss D. Nanda, learned counsel for the Petitioners and Mr. D.K.Sahoo, learned Addl. Standing Counsel for the Railways.
3. The Petitioners are in custody since 15th December, 2021 in connection with Jharsuguda P.S. Case No.06/2021 corresponding to 2 (C)C.C. No.436/2021 pending in the court of learned S.D.J.M., Jharsuguda for the alleged commission of the offence under Section 3 (a) of Railway Property (Unlawful Possessions Act, 1966).

4. It is submitted that nothing was seized from the possession of the Petitioners and they were implicated in the case entirely on suspicion as well as on the statement of co-accused persons.

5. Learned Addl. Standing Counsel for the Railways, on the other hand, has opposed the prayer for bail by submitting that the Petitioners are habitual offenders having series of similar cases against their names.

6. Having considered the rival submissions, the materials on record and the fact that the investigation into the case is appears to have progressed substantially, I am inclined to allow the prayer for bail.

7. Let the Petitioners be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that they shall appear before the RPF Post Jharsuguda P.S. on every Monday at 10.00 A.M. for a period of six months.

8. The BLAPL is disposed of.

9. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798,

dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

AKB

(Sashikanta Mishra)
Judge

