

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4132 of 2022

Jitu Bhoi and others

....

Petitioners

Mr. S.K. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

18.05.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are seeking pre-arrest bail in connection with C.T. (Spl.) Case No.62 of 2021 arising out of Attabira P.S. Case No.343 of 2021 pending in the Court of learned Sessions Judge-cum-Judge, Special Court, Bargarh for commission of offence punishable under Sections 147/148/353/393/323/506/149 of the IPC read with Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (PA) Act.
4. In the light of the order passed by this Court in the case of ***Promod Kumar Ray and others vrs. State of Odisha*** reported in ***(2017) 67 OCR 309***, this ABLAPL is disposed of with the following observations.

5. The petitioners shall surrender before the learned Sessions Judge-cum-Judge, Special Court, Bargarh, in C.T. (Spl.) Case No.62 of 2021 arising out of Attabira P.S. Case No.343 of 2021 within two weeks from today. Seven days before both the petitioners surrender before the said Court, Petitioners or his counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor/Special Public Prosecutor, as required by him, for the purpose of notice to the victim and his/her dependent.

6. Taking into consideration the nature of the offence as alleged against the petitioners, it is directed that the petitioners shall be released on Interim Bail by the learned Sessions Judge-cum-Judge, Special Court, Bargarh on the same day they surrender in the aforesaid case, pending disposal of the bail application on merit, on such terms and conditions as deemed just and proper, including the following conditions;

- 1) the petitioners shall appear before the I.O. once in a week on the day and time fixed by the said I.O. until further order by the learned Special Judge;
- 2) the petitioners shall not threaten, induce or coerce any witness of this case or the victim or his/her dependent in any manner whatsoever, and
- 3) the petitioners shall not involve themselves in similar or any other offence during currency of this order.

7. Within two weeks of appearance of the victim and/or informant, the matter shall be considered on its own merits.

8. Accordingly, the ABLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

