

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3491 of 2022

Sudarsan Pahan and another *Petitioners*
Mr.S.R. Subudhi, Advocate
-versus-
State of Odisha *Opposite Party*
Mr. K.K. Nayak, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
16.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioners for bail in connection with Khallikote P.S. Case No.147 of 2022, correspondents to G.R. Case No.345 of 2022, pending in the file of learned J.M.F.C., Khallikote, for commission of alleged offences under Sections 147/148/452/294/323/324/307/427/354-B/379/149 of IPC read with Sections 3/4 of Explosive Substances Act.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. Learned counsel for the Petitioners submits that the Petitioners are in custody since 25.03.2022. It is further submitted that Petitioners are no way connected in the alleged offence and their names have been falsely implicated in the

present case. He further submits that Petitioners are the only earning members of their family, in the event Petitioners are not released on bail, their family members will go on starvation. Accordingly, a prayer has been made to release the present Petitioners on bail on such terms and conditions as deem just and proper by this Hon'ble Court.

5. Learned counsel for the State vehemently opposes the bail application of the Petitioners since the Petitioners are involved in serious crime. He accordingly urges that no leniency should be shown to the accused persons involving in such matters and prays for rejection of their bail application.

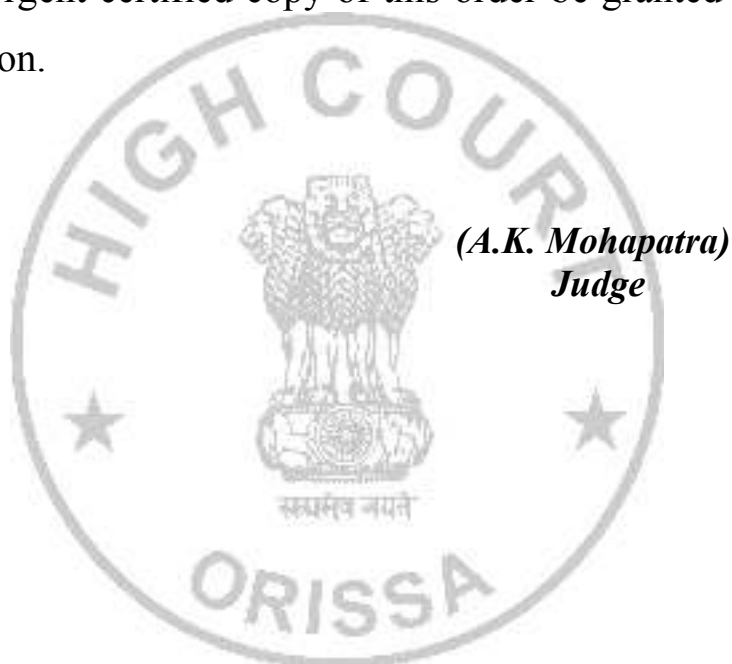
6. Having heard learned counsel for the parties and considering the custodial detention of the Petitioners and the peculiar facts and circumstances of the case, this Court is inclined to release the Petitioners on bail subject to stringent conditions. Let the Petitioners be released on bail subject to furnishing bail bond of Rs.30,000/- (Rupees Thirty thousand) each with one solvent surety each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions :

- i) They shall not indulge in similar nature of offence;
- ii) They shall appear before the trial court on each and every date and shall cooperate for early conclusion of trial;
- iii) They shall not tamper with the prosecution evidence and shall not make any attempt to influence or threaten the witnesses;

- iv) They shall provide his address as well as his phone number to the concerned Police Station and keep the same updated in the event the same is changed in future;
- v) They shall appear before the concerned Police Station as and when required till end of trial;
- vi) Violation of any of the terms and conditions shall entail cancellation of bail.

7. With the aforesaid observation, the BLAPL stands disposed of.

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



U.K.Sahoo