

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3520 of 2022

Suryakanta Khatua and another *Petitioners*
Mr. S.K. Baral, Advocate
-versus-
State of Odisha *Opposite Party*
Mr. M.K. Mohanty, A.S.C.
Mr. S.N. Acharya, Advocate for the
informant

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.05.2022

Order No.

03.

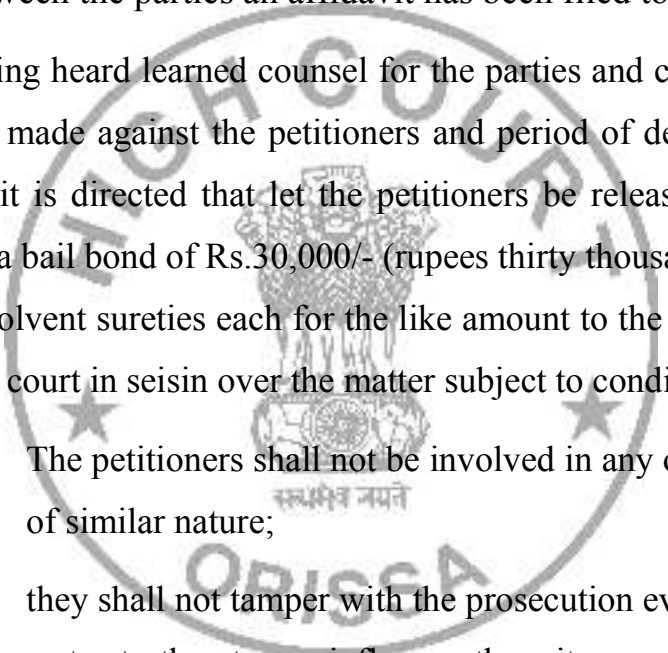
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State. Perused the F.I.R., case diary and other relevant documents on record.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioners are accused in C.T. Case No.189 of 2022 arising out of Khuntuni P.S. Case No.84 of 2022 pending in the court of learned S.D.J.M., Athagarh for commission of offence punishable under Sections 147/148/452/323/354/354-B/325/326/307/149, I.P.C. read with Sections 25 and 27 of the Arms Act and Section 9 of the I.E. Act.
5. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in this case and they are in

custody since 04.04.2022 and they do not have any criminal antecedents of similar nature.

6. Mr. Mohanty, learned Additional Standing Counsel for the State vehemently, opposes the prayer for bail of the petitioners and submits that the petitioner will influence the prosecution witnesses after releasing the bail.

7. Learned counsel for the informant submits that the informant does not have any objection with regard to release on bail of the petitioner and he further submits that the matter has been amicably settled between the parties an affidavit has been filed to that effect.

8. Having heard learned counsel for the parties and considering the allegations made against the petitioners and period of detention of the petitioner, it is directed that let the petitioners be released on bail on furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to conditions that:-

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- I. The petitioners shall not be involved in any offence of similar nature;
 - II. they shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever; and
 - III. they shall not make any default in attending the court during trial on each date;

Violation of any of the terms and conditions shall entail cancellation of bail.

9. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

10. The Bail Application is accordingly disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

