

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3906 of 2022

***Puka @ Keshab Kamila and
another***

.... Petitioners

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.05.2022

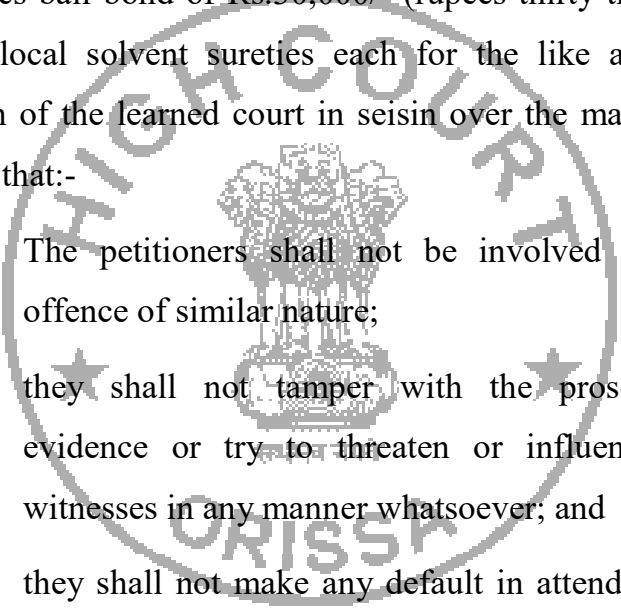
Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners 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.337 of 2022 arising out of Balasore Town P.S. Case No.81 of 2022 pending in the court of learned S.D.J.M., Balasore for commission of offence punishable under Sections 393/398, I.P.C. read with Sections 25 and 27 of the Arms 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 21.04.2022 and they do not have any criminal

antecedent of similar nature.

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

7. Having heard learned counsel for the parties and considering the allegations made against the petitioners, and period of detention of the petitioners, it is directed that let the petitioners be released on bail on furnishing cash security of Rs.5,000/-(rupees five thousand) each besides 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.

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

9. It is further directed that the bail granted to the Petitioners is subject to the condition that learned court below shall verify whether the Petitioners have any criminal antecedents. In the event it is found

that the Petitioners have any such criminal antecedents, this bail order shall automatically stands revoked.

10. The Bail Application is accordingly disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

