

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.4898 of 2022**

***Tikeswar Naik and another*** ..... ***Petitioners***  
***Mr. S.K. Das, Advocate***

***-versus-***

***State of Odisha*** ..... ***Opposite Party***  
***Ms. Samapika Mishra, A.S.C.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**  
**17.06.2022**

**Order No.**

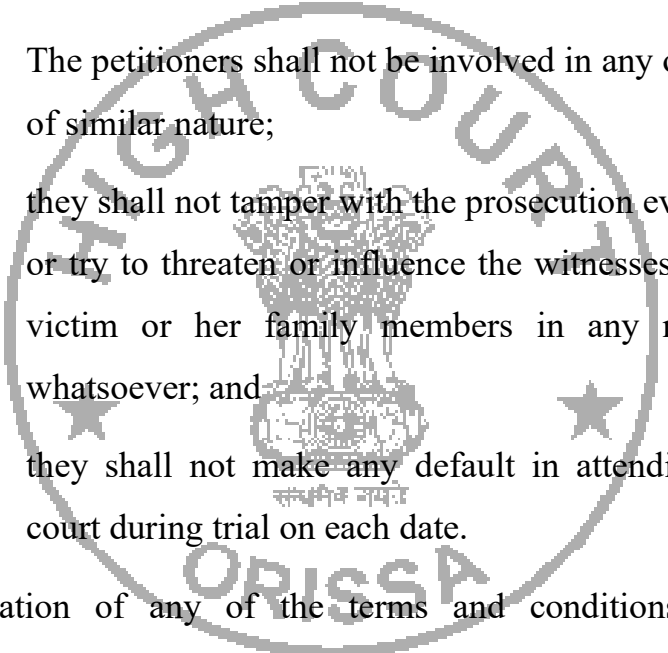
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1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners as well as leaned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioners are accused in G.R. Case No.206 of 2021 corresponding to Balimi P.S. Case No.64 of 2021 pending in the court of learned S.D.J.M., Hindol for commission of offence punishable under Sections 379/34, I.P.C.
5. It is alleged that the petitioners have taken away seven numbers of Gas Pipes by cutting into pieces.
6. It is submitted by learned counsel for the petitioners that the F.I.R. has been lodged against unknown persons and the petitioners have been falsely implicated in this case and they are in custody since

06.04.2022. Further, he submits that the investigation has been progressed substantially.

7. Learned counsel for the State vehemently opposes the prayer for bail of the petitioners.

8. Having heard learned counsel for the parties and considering the period of detention of the petitioners, it is directed that let the petitioners be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) each with two local solvent sureties for the like amount to 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 or the victim or her family members 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 )**  
**Vacation Judge**

