

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6318 of 2022

1. Bhawani Sankar Suna

2. Ranjan Kumar Naik @

Ranjan Kumar Naik Petitioners

Mr. S.R. Das, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
29.06.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Sector-7, Rourkela P.S. Case No.126 of 2021 corresponding to G.R. Case No.1775 of 2021 pending in the Court of learned S.D.J.M., Panposh, Rourkela for alleged commission of offences under sections 302/201 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioners submitted that though it is a case under section 302 of the Indian Penal Code but there are no eye witnesses to the occurrence and the

case is based on circumstantial evidence and the first information report was lodged against unknown persons. He placed the statement of the wife of the deceased, namely, Meena Pattanaik and submitted that the petitioners have been falsely implicated in the case basing on suspicion and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that the petitioners were last seen in the company of the deceased and the case is still under investigation and custodial interrogation of the petitioners is necessary to unearth the truth and argued that it would not be proper at this stage to grant anticipatory bail to the petitioners.

Considering the submissions made by the respective parties, the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, I direct that in the event the petitioners surrender and move for bail before the learned Court below, the same shall be disposed of expeditiously by the learned courts below in accordance with law. The case records shall be made available to the Courts concerned.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge