

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5745 of 2022

Maheswar Behera @ Raja & Others **Petitioners**

Mr. S.K. Biswal, Advocate

- Versus -

State of Orissa **Opposite Party**

Mr. S. K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.07.2022

Order No.
01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 13.05.2022 in connection with Khajuripada P.S. Case No.65 of 2022 corresponding to C.T. Case No.330 of 2022 pending in the Court of learned S.D.J.M., Phulbani for the alleged commission of offence under Sections 379/511/427/34 of IPC.
4. It is alleged that the petitioners were attempting to break open an A.T.M. counter, but they were caught red handed by police. While the petitioner no.3 was apprehended at the spot, the other two culprits managed to flee. The petitioner nos. 1 and 2 were subsequently apprehended on the basis of the statement of the petitioner no.3.
5. Considering the fact that the intended offence was not actually committed as also taking into account the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioners be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that they shall personally appear

before the trial Court on each date of posting of the case without fail. Further they shall appear before the IIC of Khajuripada Police Station on every Monday at 10 a.m. for a period of six months and such fact shall be certified by the IIC to the concerned Court once in a month.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

