

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.515 of 2022

1. Bapi @ Amaresh Barik

2. Dipti Ranjan Barik @

Minjan

.... Appellants

Mr. S.R. Mulia, Advocate

-versus-

1. State of Odisha

2. Amulya Majhi

.... Respondents

Mr. Manoranjan Mishra
Addl. Standing Counsel
Mr. Prasant Kumar Sahoo
(for informant)

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

**ORDER
29.08.2022**

Order No.

02. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard learned counsel for the appellants and learned counsel for the State as well as learned counsel for the informant.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with C.T. Case No.101 of 2022 arising out of Tangi P.S. Case No.73 of 2022 pending in the Court of learned Special Court under the S.C. & S.T. (PoA) Act, Cuttack for offences punishable

under sections 452/294/506/325/ 326/307/34 of the Indian Penal Code read with sections 3(1)(r)/3(1)(s)/3(2)(va)/3(2)(va) of the S.C. & S.T. (PoA) Act.

Learned counsel for the appellants submits that the appellants are in judicial custody since 27.06.2022 and they have been charge sheeted under sections 452/294/506/325/326/307/34 of the Indian Penal Code read with sections 3(1)(r)/3(1)(s)/3(2)(va)/3(2)(va) of the S.C. & S.T. (PoA) Act. It is further submitted that the allegation of assault against the appellants are omnibus in nature and there are no such materials against the appellants so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and there are no criminal antecedents against any of the appellants and therefore, the bail application of the appellants may be favourably considered.

Learned counsel for the State produced the case diary and submitted that there are three injured persons in this case, namely, Amuly Majhi, Pabitra Majhi and Pradeep Majhi and all them have sustained simple injuries.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the appellants, nature of injury sustained by the injured persons, the period of detention

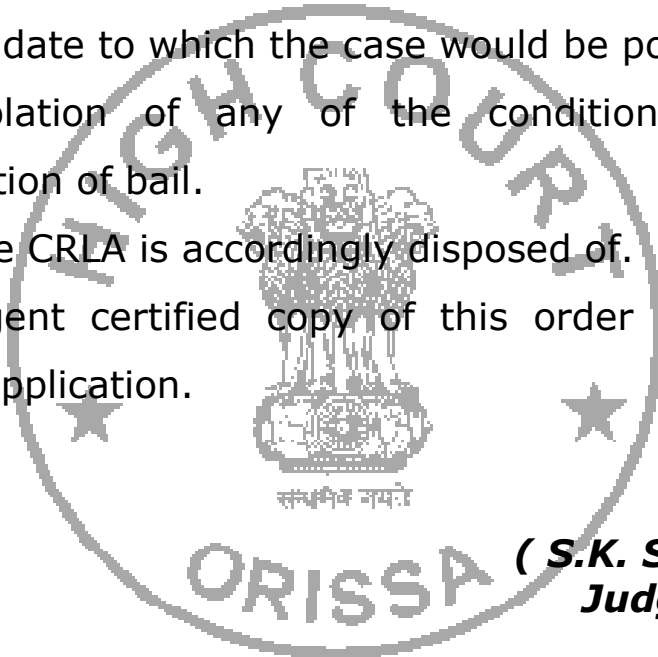
of the appellants in judicial custody, I am inclined to release the appellants on bail.

Let the appellants be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper with further conditions that they shall not indulge in any criminal activities and shall appear before the learned trial Court on each date to which the case would be posted for trial.

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

The CRLA is accordingly disposed of.

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



(S.K. Sahoo)
Judge