

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7817 of 2022

Pilalal Sahu & Another

....

Petitioners

Mr. C. Mishra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

30.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are an accused in Jonk P.S. Case No.21 of 2022 corresponding to C.T. Case No.66 of 2022, pending in the Court of learned S.D.J.M., Nuapada, offences punishable under Sections 147/148/452/294/323/325/307/506/120-B/149 of IPC.
4. Being aggrieved by the Rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Nuapada, by order dated 09.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioners submit that petitioner No.2 is not named in the F.I.R. and there is no specific allegation against the petitioner No.1 and the allegation as stated is omnibus in nature. Hence further continuance of the petitioners in custody not warranted, more so the charge-sheet is stated to have been filed in the meanwhile.

6. Learned counsel for the State opposes the prayer for bail, relying on the statement of the injured Tulasi Majhi, it is submitted that since injuries are grievous in nature, the petitioners are not entitled to be released on bail.

7. Perused the statement of the injured, considering the tenor thereof and the generality of the allegation and keeping in view the age of the petitioners, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Additionally it is directed that the petitioners shall appear before the jurisdictional police station once every fifteen days till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

Ayesha

