

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.730 of 2022

**1. Rilu @ Sammer Deep
Ray**

**2. Chandan @ Shakti
Swarup Swain**

**3. Sonu @ Gurudeba
Mishra**

**4. Satyajit Bal @ Tiger @
Satya**

.... Appellants

Mr. S.S. Ray-2, Advocate

-versus-

1. State of Odisha

2. Hemalata Sethi

.... Respondents

*Mr. Rajesh Tripathy,
Addl. Standing Counsel
Mr. B. Sahoo, Advocate for
respondent no.2*

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

ORDER

28.09.2022

Order No.

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

Heard learned counsel for the appellants, learned counsel for the respondent no.2 and learned counsel for the State.

This is an appeal under section 14-A of S.C. & S.T. (PoA) Act, 1989 in connection with T.R. Case No.328 of 2022 arising out of Saheed Nagar P.S. Case

No.393 of 2022 pending in the Court of learned Sessions Judge, Khurda at Bhubaneswar for offences punishable under sections 452/341/323/294/506/354/34 of the Indian Penal Code read with sections 3(1)(r)(s)/3(2)(va) of the S.C. & S.T. (PoA) Act.

The appellants moved an application for bail before the Court of learned Special Judge, Khurda at Bhubaneswar which was rejected on 27.08.2022.

Learned counsel for the appellants submitted that the appellants are in judicial custody since 20.08.2022 and investigation has made substantial progress and the matter has been amicably settled between the parties and therefore, the bail application of the appellants may be favourably considered.

An additional affidavit has been filed by the informant indicating about the settlement of dispute between the parties.

Learned counsel for the State was handed over a copy of the additional affidavit filed by the informant, who has obtained instruction on the same and submitted that the affidavit is an authenticated one. However, learned counsel for the State has produced the written instruction from the A.C.P. (I/c) -cum- Investigating Officer, Saheed Nagar police station which indicates about the criminal antecedents against each of the appellants.

Learned counsel for the appellants has filed the

comprehensive affidavit relating to status of those cases.

Considering the submissions made by the learned counsel for the respective parties, since the dispute has already been settled between the parties and taking into account the period of detention of the appellant in judicial custody and the nature of accusation against the appellants, 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) each 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 all the appellants shall appear before the Inspector in-charge of Saheed Nagar police station once in a week on every Sunday in between 10.00 a.m. to 4.00 p.m. for a period of three months from the date of release and 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.

A free copy of the order be handed over to the

learned counsel for the State, which will be forwarded to the Inspector in-charge of Saheed Nagar police station to do the needful.

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

(S.K. Sahoo)
Judge

RKM

