

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.9161 of 2021**

***Durua Musaki and another*** ..... ***Petitioners***  
*Mr. R.L. Pattnaik, Advocate*  
-versus-  
***State of Odisha*** ..... ***Opposite Party***  
*Mr. M.K. Mohanty, A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**29.06.2022**

**Order No.**

05.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. This is an application under section 439 of Cr.P.C. for grant of bail to the petitioners in connection with Mathili P.S. Case No.77 of 2018 corresponding to G.R. Case No.346 of 2018 pending before the learned S.D.J.M., Malkangiri for alleged commission of offences under sections 147, 148, 121, 121-A, 431, 124, 283/149 of the Indian Penal Code, Section 3 of P.D.P.P. Act, Section 25 of the Arms Act and Sections 18, 20, and 22 of U.A.P. Act.
4. The petitioners moved an application for bail before the Court of learned Sessions Judge, Malkangiri, which was rejected on 01.10.2021.
5. Learned counsel for the petitioners submits that on similar footing with the present petitioners, another co-accused has already

been released on bail by this Court by order dated 16.12.2020.

6. Considering the submission made by the learned counsel for the petitioners that the petitioners are in judicial custody since 16.07.2019, charge sheet has already been submitted and on hearing the learned counsel for the State and taking into account the period of detention of the petitioners in judicial custody, I am inclined to release the petitioners on bail.

7. Let the petitioners 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 including the condition that they 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.

8. The BLAPL is disposed of accordingly.

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

**( A.K. Mohapatra )**  
**Judge**