

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13784 of 2022

Benudhara Rout & Others

....

Petitioners

Mr. Sushanta Harichandan, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

18.11.2022

Order No.

02.

1. Heard the learned counsel for the Petitioners and the State.
2. By means of this application U/s.438 Cr.P.C., the Petitioners seek grant of bail in apprehension of arrest for their alleged involvement in the offences U/s. 379, I.P.C., in connection with Kujang P.S. Case No.397 of 2022 corresponding to G.R. Case No.1016 of 2022 pending in the court of learned J.M.F.C. (P), Kujang.
3. Learned counsel for the Petitioners does not press this bail application in respect of Petitioner No.3 – Pravat Barik @ Prabhat Barik. Accordingly, the ABLAPL is dismissed as not pressed so far as Petitioner No.3 is concerned.
4. So far as Petitioner Nos.1 and 2 – namely Benudhara Rout and Siba Rout @ Siba Prasad Rout are concerned, regard being had to the facts and submission of the parties, nature of allegations as emerged from the materials on record, and the seriousness and

gravity of the offence, it is directed that in the event these Petitioners surrender and move for bail before the learned J.M.F.C. (P), Kujang in the aforesaid G.R. Case within a period of three weeks hence, both of them shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the following further conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation, as and when required;
- (ii) They shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial.
- (iii) They shall not indulge in any other criminal case of similar nature to the present one in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions, as above, shall entail cancellation of the bail automatically.

5. The ABLAPL is disposed of accordingly.

(*Chittaranjan Dash*)
Judge

S.K. Parida