

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14390 of 2022

Nishikanta Mandal and others ***Petitioners***
Mr. J.K. Mohapatra, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, ASC

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
09.12.2022

Order No.

05.

1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s.395/307 IPC.
3. Learned counsel for the State submits the injury report reveals that the injuries sustained by the injured are simple in nature. As regards the allegation under Section 395 IPC apparently does not reflect the allegation to be against the Petitioners.
4. Learned counsel for the Petitioners submits that he does not want to press the bail application in respect to Petitioner Nos.2 & 3, namely, Sushanta Bera and Sapan Kumar Mandal.

5. Accordingly, the bail application of Petitioner Nos.2 & 3, namely, Sushanta Bera and Sapan Kumar Mandal is dismissed as not pressed.

6. Considering the submissions made, keeping in view the nature of allegations, the circumstances appearing, the seriousness and the gravity of offence, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner Nos.1, 4, 5 and 6 surrender in connection with Kasia Marine P.S. Case No.139 of 2022 corresponding to G.R. Case No.989 of 2022 pending in the court of learned J.M.F.C., Basudevpur within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with the further conditions that they shall appear before the IO as and when required; shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation; shall not indulge in any other similar offence in any manner whatsoever while on bail. Violation of any of the conditions shall entail cancellation of bail of the Petitioners. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge