

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14486 of 2022

***Manas Biswal @ Linkun and
another***

....

Petitioners

Mr. Mahes Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

22.11.2022

Order No.

01.

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 anticipation of arrest for their alleged involvement in the offences U/s.294/307/325/342/354/379/451/506/34 IPC.
3. It is submitted by learned counsel for the Petitioners that Manas Biswal @ Linkun is a student and that there is no allegation against him as regards the offence under Section 307 IPC.
4. If that be so, keeping in view the submission of the parties, the nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioner No.1, namely, Manas Biswal @ Linkun surrenders in connection with Pattamundai P.S. Case No.537 of 2022 corresponding to G.R. Case No.537 of 2022 pending in the court of learned J.M.F.C., Pattamundai within a period of two weeks' hence and moves for

bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court.

5. However, it is made clear that before granting bail the court shall ensure that the Petitioner has been prosecuting his studies by producing authentic certificate from the Principal of the College concerned and with further conditions that he 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 he shall cooperate with the investigation; shall appear before the IO as and when required; shall not indulge in criminal activities while on bail and violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. So far as Petitioner No.2, namely, Ashok Biswal @ Pinkun is concerned, this court is not inclined to grant the anticipatory bail, however, he being a juvenile it is directed that as soon as he is apprehended by police, he shall be placed under the charge of Special Juvenile police unit or the designated police officer, who shall produce the juvenile before the Board without any loss of time but within a period of twenty four hours of his apprehension excluding the time necessary for the journey, from the place where the juvenile would be apprehended, to the Board, provided that in case a juvenile in conflict with law shall be placed in a police lockup or lodged in a jail.

7. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge