

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11343 of 2022

1. Subodha Choudhury
2. Nibarana Behera
3. Chagala @ Iswar Nath
4. Rakesh Kumar Sahoo
5. Ramakanta Khuntia Petitioners

Mr. B. Mohapatra, Advocate

-versus-

State of Odisha Opp. Party

Mr. Arupananda Das
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
19.12.2022

Order No.

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

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Bhuban P.S. Case No.437 of 2022 corresponding to G.R. Case No. 416 of 2022 pending in the file of learned J.M.F.C., Bhuban for alleged commission of offences under sections 379, 411, 186,

307/34 of the Indian Penal Code and section 12 of the Mines and Mineral (Prevention of Theft, Smuggling and other unlawful Activities) Act, 1988 and sections 183 and 184 of the Motor Vehicles Act, 1988.

The prayer for bail of the petitioner was rejected by the learned Addl. Sessions Judge, Kamakhyanagar vide order dated 11.11.2022

Considering the submissions made by the learned counsel for the petitioner that the petitioner is in judicial custody since 29.10.2022 and nobody has sustained any injury and after going through the comprehensive affidavit filed by the relative of petitioner nos.2, 3 and 4 relating to their criminal antecedents and the fact that the investigation has made substantial progress and on hearing the learned counsel for the State, I am inclined to release the petitioner on bail.

Let the petitioner 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 below may deem just and proper including the conditions that the petitioners shall not indulged 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 BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

