

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.10377 OF 2021

Debaraj Kanhar & Another

....

Petitioners

Mr. D.R. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms.Samapika Mishra, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

21.01.2022

Order No.

- 01.
1. This matter is taken up by Video Conferencing Mode.
 2. The Petitioners being in custody in connection with Madan Rampur P.S. Case No.169 of 2021 corresponding to C.T. Case No.340 of 2021 on the file of learned J.M.F.C., Madanpur Rampur running for commission of offence under section -395/120-B of the IPC read with section-25/27 of the Arms Act, have filed this application under section 439 of the Cr.P.C. for their release on bail.
 3. Heard learned counsel for the Petitioners and learned Counsel for the State.
 4. Taking into account the submissions made; further keeping in view the materials on record including the statement of accused-Md. Abdul @ Abul Hasan Khan as well as the roles played by these Petitioners in the incident as those emanate therefrom with other surrounding circumstances including the period of detention of the Petitioners in custody and in the

absence of any such impediment; while being inclined to grant bail to the Petitioners in the aforesaid case; it is directed that the Petitioners be released on bail on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that:-

1. they will appear in person before the Court in seisin of the case on each date of posting of the case without fail; and
2. will not indulge themselves in any criminal activity.
5. The BLAPL is accordingly disposed of.
6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

**(D.Dash),
Judge.**

Narayan