

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15137 of 2022

Ganesh Jaiswal and another* *Petitioners

Mr. Bibekananda Mahapatra, Advocate

-versus-

Union of India (Railway)* *Opp. Party

Mr. Partha Sarathi Nayak, Senior Panel Counsel
Union of India

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER

19.12.2022

Order No.

- 02.
1. Heard learned counsel for the Petitioners and the Union of India.
 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. 3(a) RP (UP) Act.
 3. Learned Counsel for the Petitioners does not want to press the bail application in respect of Petitioner No. 1. Accordingly, the bail application in respect of Petitioner No. 1 is dismissed as not pressed.
 4. So far as Petitioner No. 2 is concerned, learned Counsel for the Union of India submits that there is no criminal antecedent in respect to the Petitioner No. 2.
 5. Having regard to the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness

and gravity of the offences, it is directed that in the event the Petitioner No. 2 surrenders and moves for bail in connection with RPF Post/Rairakhol Case No. 02 of 2022 corresponding to 2(C)CC Case No. 60 of 2022 pending in the court of learned SDJM, Sambalpur within a period of three weeks hence, Petitioner No. 2 shall be admitted to go on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that

- (i) he shall appear in person before the learned court below on each date of posting of the case;
- (ii) shall appear before the I.O. and cooperate with the investigation as and when required;
- (iii) shall not tamper with the prosecution evidence in any manner whatsoever and
- (iv) shall not indulge in any other crime of similar nature to the present case, in any manner whatsoever, while on bail.

Violation of any of the conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge