

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16509 of 2021

Sangram Khilar & Another

.... ***Petitioners***
Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr.S. Jena, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
27.09.2022

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
 2. Learned counsel for the petitioners does not want to press this bail application in respect of petitioner no.1. Accordingly, this application stands dismissed as not pressed in respect of Petitioner No.1. The ABLAPL is now confined only to Petitioner no.2 hereinafter referred to as 'the petitioner'.
 3. Heard learned counsel for the Petitioner and learned counsel for the State.
 4. Considering the submissions and on going through the materials as placed, this Court is inclined to dispose of the ABLAPL in the light of the order passed by this court in the case of ***Pramod Kumar Ray and others Vrs. State of Odisha, reported in (2017) 67 OCR – 309*** with the following observations:-
 5. The Petitioner shall surrender before the learned Special Court, Kamakshyanagar in C.T. (Spl.) Case No.68 of 2021

corresponding to Tumusingha P.S. Case No.172 of 2021, within three weeks from today. Seven days before the Petitioners surrender before the said Court, they or their counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor/Special Public Prosecutor, as required by them, for the purpose of notice to the victim or his/her dependent.

6. Taking into consideration the nature of the offence as alleged against the Petitioner, it is directed that the Petitioner shall be released on interim bail by the learned Special Court, Kamakshyanagar on the same day, he surrenders in the aforesaid case, pending disposal of the bail application, on merit, at the time of final hearing of the case, on such terms and conditions as deemed just and proper, including the following conditions:

- (1) the Petitioner shall appear before the I.O. once in a week on the day and time fixed by the said I.O. until further order by the learned Special Court, Kamakshyanagar;
 - (2) the Petitioner shall not threaten, induce or coerce any witness of this case or the victim or his/her dependent in any manner whatsoever; and
 - (3) the Petitioner shall not involve himself in similar or any other offence during currency of this order.
7. The ABLAPL is accordingly disposed of.
8. Issue urgent certified copy as per rules.

(D. Dash)
Judge