

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12584 of 2022

Abhaya Kumar Sahoo and others ***Petitioners***
Mr. B.C. Parija, Advocate

-versus-

State of Orissa ***Opp. Party***
Mr. M. Mishra, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
22.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the Petitioners for grant of bail in connection with Mangalpur P.S. Case No.526 of 2022 corresponding to C.T. Case No. 2211 of 2022 pending in the file of learned S.D.J.M., Jajpur for commission of offences punishable U/Ss. 341/294/323/325/307/506/34 of IPC, on the allegation of assaulting the informant parties and causing grievance injury to them as well as attempting to the life of the son of the Informant.
3. In the course of hearing of the bail application, Mr. B.C. Parija, learned counsel for the Petitioners submits that the Petitioners have been falsely implicated in this case due to some civil dispute and even if the materials on record are taken into consideration, no offence U/S. 307 is attracted against the Petitioners and the Petitioners having already been detained in custody for more than a month may kindly be granted bail.
4. On the other hand, Mr. M.Mishra, learned A.S.C., vehemently opposes the bail application of the Petitioners.
5. Considering the rival submissions made and taking into consideration the nature and gravity of accusations raised against the

Petitioners and regard being had to the pre-trial detention of the Petitioners and keeping in view the nature of injuries sustained by the injured persons and taking into consideration the other circumstances on record in entirety, this Court admits the Petitioners to bail.

6. Hence, the prayer for the bail of the Petitioners stand allowed and the Petitioners are allowed to go on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the Petitioners shall attend the trial Court on each date of posting without fail unless their attendance are dispensed with and that the Petitioners shall report attendance before the jurisdictional Police Station once in a fortnight preferably on Sunday in between 10A.M. to 12 Noon for three months from the date of their actual release from the custody. The I.I.C., of jurisdictional Police Station shall not detain the Petitioners unnecessarily after recording their attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioners without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge