

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16205 of 2022

Murali Naik

.... ***Petitioner***
Mr. N. Mohapatra, Advocate

-versus-

State of Odisha

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

CORAM:
MR. JUSTICE D.DASH

ORDER
23.12.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Learned counsel for the Petitioner submits that here in the case, the Petitioner being the elder brother of the principal accused Bhagaban Naik against whom the allegations as to commission of principal offences run has been unnecessarily arraigned in the case being assigned with some role having no nexus with the commission of the principal offences. It is further submitted that the attempt to implicate this Petitioner in the above manner is only to harass him to the maximum. In view of all these above and in the absence of any such impediment; he urges for grant of anticipatory bail to the Petitioner.

3. Learned counsel for the State does not dispute the position that the allegations in respect of commission of the principal offences do not run against this Petitioner.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioner; it is directed that in the event the Petitioner surrenders before the court in seisin of the case in connection with Naktideul P.S. Case No.206 of 2022 corresponding to G.R. Case No.693 of 2022 on the file of learned S.D.J.M., Rairakhol within three weeks hence and moves for his release on bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the said court in seisin of the case with further condition that he will not threaten or terrorize the prosecution witnesses including the victim in any manner.

5. The ABLAPL is accordingly disposed of.

6. Issue urgent certified copy as per rules.

(D. Dash)
Judge