IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11408 of 2024

1. Bikram Bisoyi @Bikram Bishoye
2. Gelu @ Mahes Raouta @ Mohesh Rauto .... ***Petitioners***

Mr. J. Sahoo, Advocate

-versus-

State of Odisha .... ***Opposite Party***

Mr. R.B. Dash, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.12.2024

Order No.

02. 1. Heard learned counsel for the Petitioners and learned counsel for the State.

2. The Petitioners are accused in connection with G.R Case No.1815 of 2024, pending in the Court of learned S.D.J.M., Berhampur, arising out of **Bada Bazar P.S. Case No.308 of 2024**, for commission of alleged offences under Sections-109(1)/118(2)/ 126(2)/3(5) of B.N.S., 2023.

3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioners relating to the aforementioned P.S. Case is pending in any other Court.

4. Being aggrieved by the rejection of their application for bail U/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) by the learned Sessions Judge, Ganjam, Berhampur by order dated 25.10.2024, the present BLAPL has been filed.

5. It is submitted by the learned counsel that the Petitioners are in custody since 07.09.2024 and as charge sheet has been submitted on 06.12.2024 and since the injured has recovered in the meanwhile, their further continuance in custody is not warranted.

6. Learned counsel for the State opposes the prayer particularly referring to the affidavit filed at the behest of the Petitioner No.2 (Gelu @ Mahes Raouta @ Mohesh Rauto) indicating the criminal antecedent of the said Petitioner No.2.

7. Keeping in view the submission of the charge sheet and that the injured has recovered, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Taking into account the criminal antecedent of the Petitioners, it is directed that they shall appear before the jurisdictional police station twice every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial. Certification of such appearance shall be submitted to the Court in seisin. Any violation thereof shall entail cancellation in accordance with law without any further reference to this Court.

9. It is further directed that Petitioners shall not in any way try to intimidate the informant and her family.

10. It shall be open for the informant/prosecution to seek variance of this order in the event there is any threat perception.

11. The photostat copy of the charge sheet along with the injury report is taken on record.

12. Accordingly, the BLAPL stands disposed of.

13. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified
Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Reason: Authentication
Location: High Court of Orissa
Date: 17-Dec-2024 19:26:39