IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12153 of 2024

1.Indra Bhoi **.....** ***Petitioners***
2. Lalit Sahu
3.Duleswar Sahu

Represented By
Mr.M.Sahu,Advocate

-versus-

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

Represented By
Mr.P.Satapathy,A.S.C.

CORAM:

THE HON'BLE MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

Order No. **07.12.2024**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. This bail application Under Section 439 of Cr.P.C., 1973 of the petitioners arising out of G.R case No.243 of 2024 in connection with Sindhekela P.S Case No.0141, of 2024 pending in the Court of learned JMFC, Bangomunda is taken up for consideration.

3. I have already heard from the learned counsel for the petitioners and the learned Additional Standing Counsel for the State.

4. The petitioners are in jail custody since the month of August, 2024 having been implicated under Section 394 of the I.P.C, 1860 on the allegation of commission of robbery.

5. The learned counsel for the petitioners submitted for liberal consideration of their bail contending that, in the meantime the investigation of the case has already been completed due to

submission of charge sheet by the I.O. on dated 03.10.2024, to which, the learned Additional Standing Counsel for the state vehemently objected contending that, the petitioners have committed robbery of cash of Rs.4,00,000/- and the stolen money has not been recovered, for which, they (petitioners) should not be allowed to go on bail.

6. When, the offence alleged against the petitioners is magisterial triable in nature and when, the petitioners are in custody since August, 2024 and when, during the staying of the petitioners inside the jail, the investigation of the case has already been completed and presence of the petitioners before the I.O. for the purpose of any further investigation may not be required, then by taking the above factors into account, it is felt proper to allow the petitioners to go on bail with stringent conditions.

7. Hence, the bail application filed by the petitioners is allowed.

8. They (petitioners) are allowed to go on bail on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter with conditions that :-

(ii) they (petitioners) shall not involve with similar nature of crime in future.

(ii) they (petitioners) shall appear before the I.I.C, Saintala Police Station in the District of Balangir once in the 2nd and last Sunday of each month hence, till end of March 2025 with a report to the I.I.C. that, they are not involved in any of the crime.

(iii) they (petitioners) shall not terrorize, coerce, influence or threat any witnesses of the prosecution either directly or indirectly in any manner whatsoever at any stage of the trial of the case till its

conclusion, but, in case of their failure to comply any of the aforesaid conditions, the learned trial Court is authorized to cancel their respective bail orders outrightly without seeking any permission from this Court for the same.

9. Accordingly, the bail application of the petitioners is disposed of finally.

10. Grant certified copy of this order to the petitioners on proper application.

(A.C. Behera)
Judge

Binayak

Signature Not Verified
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Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 07-Dec-2024 15:34:15