IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12160 of 2024

Sunil Kumar Bairk ..... ***Petitioner***

Represented By
Mr. D.R. Bhokta, Advocate

-versus-

State of Odisha .....

Opposite Party(s)

Represented By
Mr. T.K. Achayra, A.S.C.

BLAPL No.12123 of 2024

Rinku Khosla ..... ***Petitioner***

Represented By
Mr. J.K. Panda, Advocate

-versus-

State of Odisha .....

Opposite Party(s)

Represented By
Mr. T.K. Achayra, A.S.C.

CORAM:

THE HON'BLE MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

Order No. **13.12.2024**

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

2. Since both the bail applications have arisen out of one F.I.R. vide Koraput Sadar P.S. Case No.169 of 2024, then, both the bail applications are taken up together analogously for their final disposal through this common order.

3. The petitioners are in jail custody since 16.10.2024 having implicated under Sections U/s.303(2)/317(4) of B.N.S., 2023 on the allegation of commission of theft.

4. I have already heard from the learned counsels for the petitioners and learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioners submitted that, the offences alleged against the petitioners are Magisterial Triable in nature, for which, they should be allowed to go on bail, to which, learned Additional Standing Counsel for the State opposed the same contending that, in case of release of the petitioners on bail, there is every possibility of influencing the witnesses of the prosecution, for which, they should not be allowed to go on bail.

6. As the offences alleged against the petitioners are Magisterial Triable in nature, for which, the bail applications of the petitioners are allowed.

7. 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 learned court in seisin over the matter with the conditions that :-

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

(ii) they(petitioners) shall appear before the court personally on each date of adjournment of the case till conclusion of trial.

(iii) they(petitioners) shall not terrorize, coerce, influence or threat any witnesses to the prosecution either directly or indirectly in any manner whatsoever at any stage of the proceeding of the case, 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 for the same from this Court.

8. Accordingly, both the bail applications of the petitioners are disposed of finally.

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

(A.C. Behera)
Judge

Jagabandhu

Signature Not Verified
Digitally Signed
Signed by: JAGABANDHU BEHERA
Designation: Personal Assistant
Reason: Authentication
Location: OHC, CUTTACK
Date: 13-Dec-2024 18:26:07