IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.13976 of 2024

1) Rajanikanta Routray @ Rajani Kanta Rautaray ..... ***Petitioners***

2) Jasobanta Routray @ Jasobanta Rautaray @ Yasobanta
3) Chandi Routray @ Chandi Shankar Rautaray
4) Mamata Parida

Represented By Adv. - Bijay Kumar Behera

-versus-

State Of Odisha ..... ***Opposite Parties***

Represented By Adv. – Mr.Samaresh Jena, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
12.12.2024

Order No.

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

2. Heard learned counsel for the Petitioners as well as learned Additional Standing Counsel for the State. Perused the records.

3. This is an application under Section 482 of BNSS, 2023 filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 126(2), 296, 115(2), 74, 351(2), 3(5) of B.N.S., 2023.

4. It is stated by the learned counsel for the Petitioners that the present case arises out of a scuffle between the two groups. He further submitted that the

Petitioners have been falsely implicated in the present case. He further submitted that nobody has sustained any injury in the aforesaid scuffle. He also contended that the Petitioner No.2 is having two criminal antecedents and other Petitioners do not have any criminal antecedent. Further learned counsel for the Petitioner submitted that since the Petitioners belong to the locality, there is no chance of their absconding. In such view of the matter, learned counsel for the Petitioners submitted that the Petitioners be released on pre-arrest bail on any terms and conditions.

5. Learned Additional Standing Counsel on the other hand objected to the release of the Petitioners on pre-arrest bail on the ground that the investigation is still on. He also contended that in the event the Petitioners are released on bail, the same would cause delay in conclusion of investigation and submission of charge sheet.

6. Taking into consideration the submissions of the learned counsels for the respective parties, on careful examination of the materials on record, the Petitioners are directed to surrender and move an application for bail before the learned N.G.N.-cum-J.M.F.C., Tangi in G.R.Case No.766 of 2024 arising out of Tangi P.S.Case No.798 of 2024 within a period of four weeks from today. In such eventuality, learned court in seisin over the matter shall do well to release the Petitioners on bail on such terms and conditions as the learned Magistrate may

deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedent. In the event it is found that the Petitioner No.2 is having more than two criminal antecedent and other Petitioners are having any criminal antecedent of similar nature, this order shall not be given effect to.

7. Additionally, the Petitioner No.2 shall furnish a cash security of Rs.4,000/- (Rupees Four thousand) before the learned court in seisin over the matter, and shall be kept in any Nationalised Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

Violation of conditions shall entail cancellation of bail.

8. The ABLAPL is disposed of accordingly.

9. Issue urgent certified copy of this order as per Rules.

(ADITYA KUMAR MOHAPATRA)
JUDGE

RKS

Signature Not Verified
Digitally Signed
Signed by: RAMESH KUMAR SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 13-Dec-2024 10:48:16