

(2023) 10 OHC CK 0024

In the Orissa High Court

Case No : Bail Application No. 10889 Of 2023

Ankur Diwakar And Others

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 09-10-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 307, 506
Arms Act, 1959 — Section 25, 27

Citation : (2023) 10 OHC CK 0024

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : Anirudha Das, A.P. Das

Judgement

Savitri Ratho, J

1. This application under Section 439 of Cr.P.C. has been filed in connection with Sonapur P.S. Case No. 185 of 2023 corresponding to G.R. Case No. 174 of 2023 pending in the Court of the learned S.D.J.M., Sonapur under Sections 307, 506, 34 of the IPC and Section 25 and 27 of the Arms Act.

2. Perusal of the rejection order reveals that the petitioners are also involved in Bausuni P.S. Case No. 102 dated 08.08.2023 corresponding to C.T. Case No. 279 of 2023.

3. Mr. Anirudha Das, learned counsel for the petitioners submits that the investigation has been completed in the case and chargesheet has been filed on 07.10.2023. He further submits that Bausuni P.S. Case No. 102 of 2023 has strangely been registered on 08.08.2023 although the petitioners have been arrested on 07.08.2023 from which it is apparent that the allegations against them are false. He also submits that although the petitioners belong to Uttar Pradesh, they are willing to abide by any condition that may be imposed by this Court for releasing them on bail.

4. Mr. A.P. Das, learned Additional Standing Counsel prays some time to obtain the case dairy and criminal antecedents of the petitioners.

5. List this matter on 01.11.2023.

6. Mr. Anirudha Das, learned counsel for the petitioners files attested copies of the F.I.R., 2 seizure memos and the order of cognizance dated 08.08.2023 which are taken on record.

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