

(2024) 03 OHC CK 0087

In the Orissa High Court

Case No : Bail Application No. 64 Of 2024

Premchand Bhoi & Kanha & Others

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 13-03-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 302, 427, 435

Citation : (2024) 03 OHC CK 0087

Hon'ble Judges : S.S. Mishra, J

Bench : Single Bench

Advocate : L.N. Patel, P.K. Maharaj

Final Decision : Disposed Of

Judgement

S.S. Mishra, J

I.A. No.264 of 2024 & BLAPL No.64 of 2024

1. This is an application filed by the petitioner no.1 for interim bail.
2. The petitioners are accused in connection with Burla P.S. Case No.417 of 2023 corresponding to G.R. Case No.637 of 2023 for the offences under Sections 302/427/435/34 of the I.P.C. pending in the Court of learned J.M.F.C.-1 (Cog. Taking), Jharsuguda.
3. Heard learned counsel for the petitioners and learned counsel for the State.
4. Learned counsel for the petitioners submits that the uncle of the petitioner no.1 has died on 06.03.2024. He further submits that petitioner no.1 being the only male member of his uncle's family, he has to carry out the last rites of his uncle, who has recently died. Therefore, he prays that the petitioner no.1 may be released on interim bail for a period of one month.
5. Mr. Maharaj, learned Additional Government Advocate has produced the

written instruction received from the I.I.C., Burla Police Station, which is taken on record. As per the written instruction, the I.I.C. has verified the factum of death of the uncle of the petitioner no.1.

6. Considering the aforementioned facts and the submissions made at the bar, I am inclined to enlarge the petitioner no.1 on interim bail for a period of one month from the date of his release.

7. The petitioner no.1 be released on interim bail on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with one local solvent sureties for the like amount to the satisfaction of the learned Court in seisin over the matter including the condition that the petitioner shall not leave the jurisdiction of the concerned police station. After completion of the interim bail period, the petitioner shall surrender before the Court below on or before 15th April 2024.

Violation of any of the conditions shall entail cancellation of the interim bail.

8. The I.A. stands disposed of.

9. BLAPL No.64 of 2024 be listed on 15.04.2024.

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