

(2024) 06 OHC CK 0071

In the Orissa High Court

Case No : Bail Application No. 5745 Of 2024

Silu @ Galapuduri@Prabhanjan Behera And Ors

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 11-06-2024

Acts Referred:

Indian Penal Code, 1860 — Section 34, 125B, 294, 307, 323, 341, 506
Arms Act, 1959 — Section 25

Citation : (2024) 06 OHC CK 0071

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : A. Hota

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody in connection with Kanhia P.S. Case No.93 of 2024 corresponding to G.R. Case No.458 of 2024 pending in the Court of learned S.D.J.M., Talcher for the alleged commission of offence under Sections 125-B/341/294/323/307/506/34 of the IPC read with Section 25 of Arms Act.
4. As per the FIR, four persons specifically mentioned, came together being armed with deadly weapons and assaulted the husband of the informant causing grievous injuries. Though it is stated that some other persons were involved, yet it is also mentioned that on being asked by the informant, her husband (injured) specifically stated that the four persons named in the FIR had assaulted. As such there is doubt as regards involvement of the petitioners in the alleged occurrence.
5. Learned State Counsel has opposed the prayer for bail by submitting that the

petitioners have criminal antecedents.

6. Considering the nature of accusations and in particular absence of any specific material to show the involvement of the petitioners, I am inclined to take a lenient view. Let the petitioners be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the following conditions.:

(i) They shall personally appear before the IIC of Kanhia Police Station on every Sunday at 10 a.m. for a period of six months.

(ii) They shall appear before the Court below on each date of posting of the case without seeking representation.

(iii) They shall not leave the territorial jurisdiction of the Court without obtaining leave of the Court.

7. Issue urgent certified copy as per rules..

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