

IN THE HIGH COURT OF ORISSA : CUTTACK

ABLAPL No.6004 of 2021

1. Rajiba @ Rajendra Biswal	
2. Santosh Kumar Biswal	
3. Raghab Biswal	
4. Akhalia Biswal	
5. Abari Biswal	
6. Jayanti Biswal	... Petitioners
-Versus-	
State of Odisha	... Opp. Party

CORAM : HON'BLE SHRI JUSTICE S.PUJAHARI

ORDER

03. 30.06.2021

This matter is taken up by video conferencing mode.

Learned counsel for the Petitioners submits that the name of the Petitioner No.5 has been wrongly mentioned as “Abani Biswal” instead of “Abari Biswal” in the cause title of the bail application. As such, the same may be corrected.

In view of such submission, office is directed to correct the same in view of the Covid-19.

The Petitioners apprehending their arrest in Baramba P.S. Case No.62 of 2021, corresponding to G.R. Case No.61 of 2021, pending in the court of J.M.F.C., Baramba, registered for alleged commission of offences punishable under Sections 341, 294, 323, 325, 354, 354-B, 448 and 506/34 of the I.P.C., have filed this petition for their release on pre-arrest bail.

Heard the learned counsel for the Petitioners and learned counsel for the State.

Considering the facts and submissions made, especially the nature and character of allegations, circumstances in which the offences stated to have been committed and also it being not disputed that the Petitioners' release on pre-arrest bail shall not be an hindrance to a free and fair investigation, this Court is of the view that the Petitioners have made out a case for their release on pre-arrest bail, more particularly when they are ready and willing to cooperate with the investigation and they have no chance of absconding and/or tampering with the prosecution evidence, if released on pre-arrest bail.

Hence, this Court directs that in the event of arrest of the Petitioners in connection with the aforesaid case, they be released on bail by the Officer effecting arrest on such terms and conditions as deemed just and proper.

However, the aforesaid order is subject to the condition that the Petitioners shall cooperate with the investigation and no other graver offence is reported against the Petitioners besides the aforesaid offences.

The ABLAPL is, accordingly, disposed of being allowed.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021.

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S.Pujahari, J.