

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4911 of 2023

Prasanna Kumar Naik and others

....

Petitioners

Mr. B.K.Parida-2,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K.Mohanty,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.10.2023.

Order No.

03.

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 apprehending arrest in connection with Sarankul P.S. Case No.155/2022 corresponding to G.R. Case No.325/2022 pending in the court of learned J.M.F.C., Odagaon.
4. It is alleged that Petitioner No.1 was a class-mate of the deceased. The deceased was married to some other person. But it is alleged that she kept relationship with Petitioner No.1 who,

took a loan of Rs.1,25,000/- from her. According to the informant since the amount was not repaid, the deceased committed suicide by consuming poison. Perusal of the statement of the witnesses recorded under Sections 161 and 164 of Cr.P.C. does not reveal any proximate link of the Petitioner with the deceased or any act of instigation committed by him resulting in the deceased committing suicide. In so far as other Petitioners are concerned, they are family members of the Petitioner No.1. There is no material to show their complicity in the alleged occurrence.

5. Considering the nature of accusations and the submissions made while not being inclined to grant anticipatory bail to the Petitioners, the ABLAPL is disposed of granting liberty to the Petitioners to surrender before the Court below within a week from the date of receipt of certified copy of this order and to move for bail. In such event, they shall be released on bail on such terms and conditions as may be deemed fit and proper by the said Court. Further, they shall personally appear before the Court below on each date of posting of the case and in case of even a single default, the Court below shall be at liberty to issue NBW to take them.

6. Urgent certified copy of this order be granted on proper application.