# IN THE HIGH COURT OF ORISSA AT CUTTACK

#### **ABLAPL No.9505 of 2021**

Samira @ Sameer Kumar Bhatta and .... Petitioners others

-versus-

State of Odisha .... Opposite Party

### **CORAM: JUSTICE S. PUJAHARI**

# Order No.

02.

# ORDER 24.09.2021

- 1. This matter is taken up through hybrid mode
- 2. The Petitioners apprehending their arrest in Nayagarh P.S. Case No.132 of 2021 registered for alleged commission of offences punishable under Sections 341, 294, 323, 324, 307, 506 read with Section 34 of the I.P.C., have filed this petition for their release on pre-arrest bail.
- 3. Heard the learned counsel for the Petitioners and the learned counsel for the State.
- 4. Considering the facts and submissions made, especially the nature and character of allegations including the accusation under Section 307 of I.P.C., 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.

- 5. 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 including the conditions that they shall cooperate with the investigation, shall not indulge themselves in any criminal activities and shall not make any contact or terrorize the prosecution witnesses in any manner. Violation of such conditions shall entail cancellation of bail.
- 6. However, the aforesaid order is subject to the condition that no other graver offence is reported against the Petitioners besides the aforesaid offences.
- 7. The ABLAPL is, accordingly, disposed of being allowed.
- 8. Urgent certified copy of this order be granted on proper application.

(S. Pujahari) Judge