

C.T. (S) Case No.236 of 2024

22.10.2024

The case record is posted today for an order on the petition dated 21.10.2024 filed by the learned defence counsel for the accused persons namely Satyabrata Bhoi and Balmiki Bhoi for release them on bail.

2. At the foot of the bail application, a certificate has been furnished that no similar petition is pending in another Court having jurisdiction including Hon'ble High Court. As such, the bail application is taken up for consideration.

3. The learned counsel for the accused persons submitted that, the accused persons are innocent and have been falsely implicated in this case. There is no prima facie evidence made out U/s.201/34 of IPC against the present petitioners and they are no way involved in the alleged crime. He further submitted that, I.O. has already submitted the charge sheet as such; there is no chance of tampering with prosecution evidence by them. They are in custody since 03.05.2024. Therefore, with the above reasons, it is submitted to release the accused persons on bail.

On the other hand, the learned Addl.P.P vehemently opposed the release of the accused persons on bail on the ground of seriousness of the allegation and on the ground of availability of sufficient prima facie materials against them.

4. The prosecution allegation is that the informant Runi Behera W/O- Muna Behera of village Kumanda, Belasuntha, P.S.- Angul Sadar, Dist-Angul lodged a written report at Angul P.S. to the effect that accused Jagabandhu Bhoi got married to the deceased Ranju Bhoi since 30 years and after marriage, they were quarrelling with each other for some family dispute. Many times, they have solved the family matters. On dated 27.04.2024 at about 7.00 P.M., there was quarrel in between the deceased and accused Jagabandhu Bhoi and on dated 28.04.2024 at about 7.00 A.M., she came to know that accused Jagabandhu Bhoi after committing murder of his wife Ranju Bhoi buried

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her dead body in burial place of their village. Basing on such report, Angul Sadar PS case No.287 dated 28.04.2024 was registered. In course of investigation, the IO found out that the present accused-petitioners are involved in the alleged crime; they were arrested and forwarded to the Court on 03.05.2024.

5. Perused the FIR, the statement of the witnesses, the seizure lists and the postmortem examination report and the other materials available on record which clearly reveals a strong prima facie case U/s.201/34 against the present accused-petitioners. On consideration of the materials available on record, it reveals that accused Jagannath Bhoi has committed murder of his wife Ranju Bhoi and the present accused-petitioners and another accused helped the accused Jagabandhu Bhoi for burial of the deceased without informing the police. I.O. has already submitted the charge sheet, hence there is no apprehension of tampering with prosecution evidence by the petitioners. The petitioner is residing within the jurisdiction of this Court and hence there is also no apprehension of their fleeing away from justice. Further, the petitioners have already been detained in jail custody since 03.05.2024 during which they must have felt the rigour of law. Therefore, taking into consideration the entire facts and circumstance of the case, I am inclined to release the petitioners on bail. As such, the bail petition of the petitioners Satyabrata Bhoi and Balmiki Bhoi is **allowed** with conditions that.

Let the petitioners be released on bail on furnishing bail bonds of Rs.30,000/-(Rupees Thirty Thousand only) each with TWO solvent sureties each for the like amount with conditions that

- (i) they shall not commit similar offence or by engaging themselves in any criminal activity during the period of bail,
- (ii) they shall not threaten the informant or the witnesses in any manner,

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- (iii) they shall not tamper with the prosecution evidence and
- (iv) they shall appear before the Court on each date of posting of the case till conclusion of trial.

Violation of any of the conditions imposed upon the petitioners would entail cancellation of their bail.

Put up later when bail bonds are filed.

(Dictated)

Sd/-

Addl. Sessions Judge-cum-
Special Judge(Vig.), Angul.