

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,  
TALCHER**

Present:- Sri Satyanarayan Kar, LL.M  
Additional Sessions Judge, Talcher,  
J.O Code-OD00275.

**Bail Application No 521/2025.**

(Arising out of G.R.Case No.1728/2025 of learned S.D.J.M., Talcher corresponding to Kaniha P.S Case No.312 Dtd.08.09.2025, U/s.126 (2)/296/351 (2)/109/310(2)/125 of BNS r/w Section 6/7 of OESM Act.)

**Dated, this the 23<sup>rd</sup> day of September 2025.**

1. Santosh Kumar Sahoo, aged about 47 years,  
S/o- Late Mohan Sahoo,
  2. Akshya Kumar Sahoo, aged about 48 years,  
S/o- Late Durjyadhan Sahoo,
  3. Asutosh Sahoo, aged about 23 years,  
S/o- Sarbeswar Sahoo,
  4. Girish Chandra Sahoo, aged about 44 years,  
S/o- Late Durjyadhan Sahoo,
  5. Raju Boita, aged about 35 years,  
S/o- Late Jadumani Boita,
  6. Niamain Sahoo, aged about 47 years,  
S/o- Nirakar Sahoo,
- All are of village- Derang, P.S-Kaniha,  
Dist.-Angul. .... Accused-Petitioners.

Vrs.

State of Odisha

Opposite Party.

**Counsels:-**

For the accused/petitioner: Sri B.D. Nayak, Advocate &  
Associates, Talcher.

For the State of Odisha/O.P.: Sri G. Murmu,  
Additional Public Prosecutor,  
Talcher.

**Date of Hearing: 23.09.2025**

**Date of Order: 23.09.2025**

**Order No.2**

A memo has been filed on behalf of the petitioners stating therein that no other bail application of the petitioners is pending in any other Court including the Hon'ble High Court of Orissa in connection to this case.

The petitioners have been arrested and forwarded in connection to Kaniha P.S Case No.312 Dtd.08.09.2025, U/s.126 (2)/296/351 (2)/109/310(2)/125 of BNS r/w Section 6/7 of OESM Act corresponding to G.R.Case No.1728/2025 of learned S.D.J.M., Talcher on 09.09.2025.

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor.

As per the prosecution on 08.09.2025 at about 6.10 P.M while the complainant was returning home after finishing his work on his way accused persons and their associates forcibly obstructed the vehicle of the complainant bearing Regd. No. OD-19-Y-1780 and told him to open the glass and when the complainant opened his glass the culprits abused him in filthy languages and when complainant protested the accused persons assaulted him by fist blows and kicks and snatched away his gold chain, gold ring and mobile phone and on seeing this the driver of the complainant intimated the fact to company members and company members rescued him from the clutches of the accused persons. It is further narrated

in the FIR that above named accused persons are of habit of seat on strike in front of the Jindal company with various demand and on that day they had also stopped playing of trucks of the company. Such act must have committed due to previous enmity.

During course of hearing the learned counsel for the accused-petitioners submitted that accused persons have been falsely entangled in this case. The accused persons are local men. The accused persons are the only earning members of their respective families. So, considering their period of detention they may be released on bail on any terms and conditions as the Court deems fit.

On the other hand, learned Addl. P.P. vehemently objected the bail application and submitted that these accused persons are involved in offence U/s 109 BNS and when the investigation is in progress, their bail application may be rejected out rightly.

In view of the argument advanced by the learned counsel for the counter parties on the basis of F.I.R of the complainant, Kaniha P.S Case No.312 Dtd.08.09.2025, U/s.126 (2)/296/351 (2)/109/310(2)/125 of BNS r/w Section 6/7 of ESMA Act on the plea that on 08.09.2025 at about 6.10 P.M while the complainant was returning home after finishing his work on his way accused persons and their associates forcibly obstructed the vehicle of the complainant bearing Regd. No. OD-19-Y-1780 and told him to open the glass and

when the complainant open his glass the culprits abused him in filthy languages and when complainant protested the accused persons assaulted him by fist blows and kicks and snatched away his gold chain, gold ring and mobile phone and on seeing this the driver of the complainant intimated the fact to company members and company members rescued him from the clutches of the accused persons. As per direction though I.O submitted up-to-date C.D and injury report of the injured and said injury report dated 08.09.2025 reveals that injured has sustained three simple injuries on his person and in the mean time he might have been recovered from said injuries. Further I.O did not seized any weapon of offence from the spot. Most part of investigation has been completed. However, all the offences except the offence U/s 109 BNS are triable by the court of Judicial Magistrate First Class. The accused persons are behind the bar since 09.09.2025. They must have understood the rigour of law. Considering the period detention of the accused persons, I am inclined to allow the bail application.

### **ORDER**

Let the accused persons namely (1) Santosh Kumar Sahoo, (2) Akshya Kumar Sahoo, (3) Asutosh Sahoo, (4) Girish Chandra Sahoo, (5) Raju Boita and (6) Niamain Sahoo be released on bail on furnishing a bail bond of Rs.20,000/- with two solvent sureties each for the like amount to the

satisfaction of learned S.D.J.M, Talcher subject to condition that :-

- i) They shall not indulge themselves in any criminal activity of like nature while on bail.
- ii) They shall appear before the I.O at 10 A.M on each Sunday for the purpose of investigation till submission of charge sheet and I.O shall disperse them immediately after taking their attendance.
- iii) They shall not tamper with the prosecution evidence in any manner.
- iv) They shall maintain public peace and tranquility in their locality

Violation of any condition shall entail cancellation of bail.

Send the LCR along with the copy of the order to the concerned court forthwith.

Copy of this order also be send to the superintendent Sub-jail, Talcher and concerned I.O for information and necessary action.

Addl. Sessions Judge, Talcher.  
Dictated and corrected by me.

Addl. Sessions Judge, Talcher.