



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.2831 of 2025

1) Sujit Kumar Prusty

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Petitioners

- 2) Subha Prusty Alias Soubhagya Prusty
- 3) Satrugan Prusty
- 4) Suraj Prusty Alias Saroj Kumar Prusty
- 5) Swapnabati Prusty Alias Sapna Prusty
- 6) Subha Prusty@soubhagya Prusty
- 7) Satrugan Prusty
- 8) Suraj Prusty@saroj Kumar Prusty
- 9) Swapnabati Prusty@sapna Prusty

Represented By Adv. -
Rajendra Narayan
Rout

-versus-

State Of Odisha

.....

Opposite Parties

Represented By Adv. –
Ms.Sasmita Nayak,ASC

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

26.03.2025

Order No.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned Additional Standing Counsel for the State. Perused the records.
3. This is an application under Section 482 of BNSS, 2023 filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 85, 115(2), 118(1), 296, 109, 351(2), 3(5) of BNS, 2023 read with Section 4 of the D.P.Act.



4. It is stated by the learned counsel for the Petitioners that earlier the Petitioner approached this Court in ABLAPL No.14731 of 2024 and this Court vide order dated 23.12.2024 disposed of the said bail application by directing the Petitioners to surrender subject to terms and conditions mentioned in order dated 23.12.2024. One of the condition imposed by this Court is with regard to verification of injury. On verification, it is found that the injured has sustained one injury, which is attributable to Petitioner Nos. 1 & 2. So far Petitioner Nos.3 to 5 are concerned, there is no allegation of any overt act against them.

5. Taking into consideration the aforesaid fact, this Court directs the Petitioner Nos.3 to 5 to surrender and move an before the learned S.D.J.M., Berhampur in G.R.Case No.2696 of 2024 arising out of Berhampur Mahila P.S.Case No.220 of 2024 within a period of three weeks from today. In such eventuality, learned court in seisin over the matter shall do well to release the Petitioner Nos.3 to 5 on bail on such terms and conditions as mentioned in order dated 23.12.2024.

6. So far Petitioner Nos. 1 & 2 are concerned, they are given liberty to surrender before the learned S.D.J.M., Berhampur in G.R.Case No.2696 of 2024 arising out of Berhampur Mahila P.S.Case No.220 of 2024 in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider their application for bail in the first hour strictly



on the basis of the materials on record. In case of rejection of the bail application, the Petitioners may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner Nos. 1 & 2 on the same day strictly on the basis of the materials on record.

7. Case Diary be made available to the concerned courts on the date of surrender on an application being filed by the Petitioner prior to the date of surrender along with the copy of this order. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy of this order as per Rules.

(**ADITYA KUMAR MOHAPATRA**)
JUDGE

RKS

Signature Not Verified

Digitally Signed
Signed by: RAMESH KUMAR
SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 28-Mar-2025 16:25:10