



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.355 of 2015

**1. Biswanath Behera @
Velar**

**2. Keshab Behera @
Mantu**

**3. Debaraj Behera @
Litu**

**4. Sk. Rahul @ Rahul @
Sk. Saheed**

**5. Subhranshu Kumar
Das @ Tani**

***Appellants/
Petitioners***

*Mr. Sk. Zafarulla,
Advocate for appellant
no.1*

*Mr. S.N. Sahoo,
Advocate for appellant
nos.2 and 3*

*Mr. Devashis Panda,
Advocate for appellant
no.4*

-versus-

State of Odisha

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***Respondent/
Opp. Party***

*Mr. P.B. Tripathy,
Addl. Standing Counsel*

*Mr. Soura Ch.
Mohapatra, Advocate for
the informant*

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH



ORDER
01.07.2024

Order No.

I.A. No.2284 of 2023
&
I.A. No.2462 of 2023

59. These matters are taken up through Hybrid arrangement (video conferencing/physical mode).

Both these applications are for grant of bail.

It is stated at the Bar that Mr. Sk. Zafarulla, learned counsel is appearing for the appellant no.1 Biswanath Behera @ Velar, Mr. S.N. Sahoo, learned counsel is appearing for appellants nos.2 and 3, namely, Keshab Behera @ Mantu and Debaraj Behera @ Litu and Mr. Devashis Panda, learned counsel is appearing for appellant no.4 Sk. Rahul @ Rahul @ Sk. Saheed. It is further stated at the Bar that appellant no.5 Subhranshu Kumar Das @ Tani is dead while he was in jail.

As per the order no.58 dated 15.05.2024, learned counsel for the State was asked to obtain instruction regarding criminal antecedents in respect of all the four appellants i.e. appellants nos.1 to 4 through the Inspector in-charge of Lalbag police station so also about the conduct of the appellants in jail through the Superintendent, Circle Jail, Choudwar and to further obtain instruction if there would be any chance of law and order situation, in case the appellants are released



on bail.

A free copy of the order was supplied to the learned counsel for the State.

Mr. Tripathy, learned Addl. Standing Counsel for the State submitted that he has received instruction about the criminal antecedent and also instruction in respect of appellant no.1 as per the aforesaid order but so far as appellants nos.2 to 4 are concerned, some further time may be given to obtain instruction.

The instruction which has been received in respect of appellant no.1 has already been supplied to Mr. Zafarulla, learned counsel for appellant no.1, who seeks some time to file a reply and so far as instructions relating to the appellants nos.2 to 4 are concerned, learned counsel for the State shall obtain instruction and supply the same to the respective counsel in advance to file their replies, if any, by the next date serving the same on the learned counsel for the State so also on the learned counsel for the informant.

List this matter in the week commencing from 15.07.2024.

Let a report be called for from the Superintendent, Circle Jail, Choudwar as to whether the appellant no.5 Subhranshu Kumar Das @ Tani is dead or not.

A free copy of the order be handed over to the



learned counsel for the State for compliance.

Instructions be obtained in the meantime.

(S.K. Sahoo)
Judge

(Chittaranjan Dash)
Judge

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