

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.242 of 2022

Ganeswar Sahoo

.... ***Petitioner***
Mr. K. Mishra, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.K. Pattnaik, AGA

CORAM:
JUSTICE G. SATAPATHY

ORDER

04.11.2022

Order No.

- 08.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Mr. Pravash Chandra Jena, learned counsel submits that since the brief has already been transferred, he and his associates names may kindly be deleted from the cause list. In view of such submission, the names of Mr. Pravash Chandra Jena and his associates be deleted from the cause list.
 3. This is an application U/S. 439 of Cr.P.C. by the petitioner for grant of bail in connection with Fategarh P.S. Case No.206 of 2020 corresponding G.R. Case No.197 of 2020 pending in the Court of learned J.M.F.C., Bhapur for commission of offences punishable under Section 326(A) of I.P.C., on the allegation of throwing acid on the son of the informant causing severe burn injuries to him.
 4. In the course of hearing of the bail application, Mr. K. Mishra, learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is no way connected with the commission of crime. It is further submitted by him that in order to

get rid of the case lodged by the petitioner against the son of the informant, the present case has been falsely foisted against the petitioner by the informant and the petitioner is inside custody since 19.11.2021. Learned counsel for the petitioner also submits that the petitioner was on interim bail and he had not misused the liberty so granted and, the petitioner, therefore, being a law abiding citizen his further detention in custody is unnecessary. It is further submitted by him that no criminal antecedent has been reported against the petitioner and the petitioner being an innocent person, his bail application may kindly be considered favourably.

5. On the contrary, learned counsel for the State submits that the petitioner has not only threw acid on the son of the informant but also the injured had sustained severe burn injury on his chest, head and face and, the petitioner, therefore, should not be enlarged on bail in the interest of justice.

6. Considering the rival submissions advanced on behalf of the parties and taking into consideration the nature of accusations against the petitioner so also the seriousness of offence and regard being had to the burn injuries on the person of the injured and the corrosive materials used in attacking the injured and taking into account the larger interest of the society, this Court considers it undesirable to grant bail to the petitioner.

7. Hence, the prayer for bail of the petitioner stands rejected.

8. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge