

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.281 of 2022**

***Srikanta Digal***

.... ***Petitioner***  
*Mr. A.R. Panda, Advocate*

**-versus-**

***State of Orissa***

.... ***Opposite Party***  
*Mr. P.K. Pattnaik, A.G.A. for State*

**CORAM:  
JUSTICE A.K.MOHAPATRA**

**ORDER  
01.02.2022**

**Order No.**

01. 1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the records.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Raikia P.S. Case No.86 of 2020, corresponding to S.T. Case No.21 of 2021, pending in the court of learned Asst. Sessions Judge, Balliguda, for commission of alleged offence under Section 376(1) I.P.C.
4. Learned counsel for the Petitioner submits that a false case has been initiated against the Petitioner. It is submitted that the Petitioner is languishing in jail custody since the date of his arrest, i.e. 29.11.2020. Learned counsel for the Petitioner further submits that the present Petitioner has no criminal antecedents.

5. Learned Additional Government Advocate for the State vehemently objected to the bail of the Petitioner. However, he submits if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

6. In such view of the matter and having heard learned counsel for the parties and considering the period of detention of the Petitioner, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Petitioner shall cooperate with the investigation and shall not threaten the witnesses or tamper with the evidence in any manner, whatsoever.

7. Petitioner is also directed to appear before the I.O. on every Sunday between 11.00 A.M. to 1.00 P.M. once he comes out of the jail custody, till conclusion of trial. It is further directed that the court in seisin of the matter to verify the criminal antecedents of the Petitioner and impose any additional condition(s), if situation so warrants. This order shall remain valid in the event the court in seisin of the matter is satisfied that Petitioner has no criminal antecedents.

8. With the above direction, the BLAPL is accordingly allowed.

9. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in

the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

**(A.K. Mohapatra)**  
**Judge**

U.K.Sahoo

