

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.998 of 2022

Jitendra Dalei and another

....

Petitioners

Mr. S. Panda,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

08.02.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard Mr. S. Panda, learned counsel for the Petitioners and Mr. P. K.Maharaj, learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 10th October, 2021 in connection with Keonjhar Town P.S. Case No.391/2021 corresponding to G.R. Case No.1676/2021 pending in the court of learned S.D.J.M., Keonjhar for the alleged commission of the offence under Sections 307/120-B of I.P.C. and Sections 3,4 and 5 of E.S. Act.

4. The prosecution allegation is that the Petitioners being armed with pistol stopped the car of the local M.L.A. and threw bombs with the intention of committing a serious crime. Fortunately, no one was hurt but the vehicle was damaged.

5. Learned counsel for the Petitioners submits that the matter has been foisted against the Petitioners due to political reasons and there is no evidence to show their involvement in the occurrence.

6. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that the Petitioners belong to a different political party and, therefore, committed the offence with an intention to cause serious bodily injury to the local M.L.A.

7. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted in the case coupled with the fact the Petitioners are local residents of the District of Keonjhar, I am inclined to allow the prayer for bail.

8. Let the Petitioners be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the court below on each date of posting of the case and in case of even one default, appropriate order shall be passed by the court below to take them into custody.

9. The BLAPL is disposed of.

10. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

