

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.169 of 2022

Batakrushna Swain

.... ***Appellant***
Mr.Omkar Devdas, Advocate

-versus-

State of Odisha and others

.... ***Respondents***
Ms.Samapika Mishra, ASC

**CORAM:
JUSTICE B. P. ROUTRAY**

ORDER
31.3.2022

Order No.

3.

1. Heard Mr.Devdas, learned counsel for the Petitioner and Ms.Mishra, learned Additional Standing Counsel for the State.

2. This is an appeal under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the offences alleged are under Sections 147/148/452/436/323/324 /326 /307/354/379/506/149 of the I.P.C. and Section 3 & 4 of the Explosive Substance Act and Section 3(1)(r)(2)(iv)(v)(va) of the SC & ST (PoA) Act.

3. It is submitted on behalf of the Petitioner that the Petitioner is inside custody since August, 2021 and he being a permanent resident under Puri Sadar Police Station no chance of absconding is there, and he may be released on bail.

4. Ms.Mishra, learned Additional Standing Counsel for the State opposes the prayer for bail by submitting that this Petitioner has

eighteen criminal antecedents and his name has been stated by many witnesses.

5. Having heard both parties and considering the period of detention of the Petitioner inside custody as well as the fact of completion of investigation, it is directed that the Appellant be released on bail in Special G.R.Case No.3 of 2022 arising out of Sadar P.S.Case No.2 of 2020 on such terms and conditions to be fixed by the learned court below in seisin over the matter including the condition that he shall not be involved in other offence while on bail and shall appear before the I.I.C., Puri Sadar Police Station once in each week and that, he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. It is made clear that violation of any of the conditions as fixed by this Court or by the court below shall entail cancellation of his bail.

6. The appeal is disposed of.

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

(B.P. Routray)
Judge