

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2901 of 2022

Bijaya Kumar Dalabehera

....

Petitioner

Mr. S.K. Padhy, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.04.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner had earlier approached this Court in BLAPL No. 9906 of 2021, which was rejected vide order dated 14.02.2022 granting liberty to the petitioner to renew his prayer for bail after submission of charge sheet. It further appears that the petitioner and co-accused had approached the Hon'ble Supreme Court of India in S.L.P (Crl.) No. 2036 of 2022 and by order dated 14.03.2022 they were permitted to withdraw the said S.L.P. with liberty to approach this Court since charge sheet was filed in the meantime.
4. The petitioner is in custody since 22.10.2021 in connection with Narasinghpur P.S. Case No.192 of 2021 corresponding to C.T. Case No.304 of 2021 pending in the Court of learned J.M.F.C., Narasinghpur for the alleged commission of offence under Sections 147/148/189/342/448/294/323/427/332/333/353/186/307/149 of IPC read with Section 7 of Criminal law Amendment Act, Sections 3 & 4 of Public Property (Prevention of Damage) Act, 1985 and Section 51 of the Disaster Management Act, 2005.

5. It is alleged that the petitioner in association with the group of 200 persons entered into the Police Station at Narasinghpur and after locking it from outside, ransacked the police station as also severely assaulted the IIC and staff causing bodily injuries. In the meantime however, charge sheet has been submitted for the offence under Sections 307 and allied offences. The injury reports which have been annexed to the bail application reveal that the injured persons sustained simple injuries

6. Having regard to the above facts, the period of detention of the petitioner in custody and the fact that charge sheet has already been submitted, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana