

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3393 of 2022

Priyabrata Behera

..... Petitioner
Mr.P.K. Mishra, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. M.K. Mohanty, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

Order
No.

ORDER
16.05.2022

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Capital P.S. Case No.151 of 2021, corresponding to C.T. Case No.1496 of 2022, pending in the file of learned S.D.J.M., Bhubaneswar, for commission of alleged offences under Sections 419/420/468/469/471/120-B of I.P.C.
3. Heard learned counsel for both the parties. Perused the F.I.R., Case Diary and statement of witnesses.
4. Learned counsel for the Petitioner submits that the Petitioner is in jail custody since the date of his arrest, i.e. 11.3.2022. It is further submitted that the Petitioner is an innocent person and has been falsely implicated in this case. There is absolutely no criminal record against the Petitioner, except the present case where he has

been implicated with concocted allegations. Further, the investigation of the case has substantially progressed in the meantime. It is further submitted that in the event of release on bail, he shall abide by the terms and conditions as fixed by this Hon'ble Court.

5. Learned counsel for the State vehemently opposes the bail application of the Petitioner. He, however, submits that in the event of release on bail, stringent conditions may be imposed on the Petitioner.

6. Having regard to the facts and circumstances of the case, considering the nature and gravity of offences alleged and the period of detention of the Petitioners, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to the following conditions :

- i) Petitioner will appear in person before the Court in seisin of the case on each date of posting of the case till conclusion of the trial;
- ii) will appear before concerned police station once in every Monday in between 10 A.M. to 2 P.M. and
- iii) will not threaten or terrorize the prosecution witnesses in any manner and indulge himself in any criminal activity.

7. Violation of any of the terms and conditions shall entail cancellation of bail.

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

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9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge

U.K.Sahoo

