

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3398 of 2022

Kanha @ Kanhu Rout

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

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

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 of Cr.P.C for grant of bail to the petitioner in connection with Nandankanan P.S. Case No.93 of 2021 corresponding to G.R. Case No.745 of 2021 pending in the court of learned S.D.J.M., Bhubaneswar.
3. Perused the impugned order dated 15.09.2021. Also perused the FIR, a copy of which is produced in Court today by the learned counsel for the petitioner.
4. As per the FIR, the alleged occurrence took place on 29.08.2021. As revealed from the FIR, the victim and the complainant had visited some person for searching of a financier and on 05.08.2021, the principal accused, namely, Raj @ Raghunath Sahoo who is the owner of a web channel 'Live Kalinga' told them to reach at a location and after having gone there, were confined and all the accused persons assaulted and abuse them and also demanded

of Rs.10 lac.

5. Learned counsel for the petitioner submits that the petitioner is no way responsible for the alleged demand of ransom and the fact that he is in custody since 22.03.2021, should be released on bail with any conditions. He further submits that on similar footing with the present petitioner, other co-accused persons have already been released on bail by this Court by order dated 01.11.2021 in BLAPL No.8153 of 2021 and by order dated 29.11.2021 in BLAPL No.8770 of 2021.

6. Learned counsel for the State, on the other hand, opposed release of the petitioner on bail and contended that she was present at the time of alleged assault and have in fact been identified in the T.I. parade.

7. According to the learned counsel for the petitioner, the accused has been implicated in three more cases which are triable by a Magistrate First Class for offences which are not grievous in nature.

8. From the impugned order dated 15.09.2021, it appears that after the victim and complainant were confined on a demand being made, an amount of Rs.33,000/- was paid to the principal accused, namely, Raj @ Raghunath Sahoo. The alleged occurrence was reported to the P.S. after twenty days. As submitted by the learned counsel for the State, the complaint was lodged with delay which has been duly explained away.

9. Investigation is in progress. The petitioner is in judicial custody for more than one month by now. T.I. parade has already been conducted in which she is indeed identified. It seems that substantial part of the investigation to be over. Having regard to the above facts and the fact that the principal accused, namely, Raju @

Raghunath Sahu has already arrested and in judicial custody and considering the fact that she is a lady journalist then was working in the office of the said accused, the Court is of the considered view that the petitioner should be released on bail with conditions.

10. In the result, it is directed that the petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.40,000/- (Rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin over of the matter with the following conditions, such as, she shall not terrorize the complainant and the victim, in any manner whatsoever, while on bail and shall report at the P.S. once in a fortnight preferably every Sunday between 10 A.M. to 1 P.M. and report the IO concerned for the purpose of investigation.

11. The BLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge