

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3427 of 2022

Rajendra Narayan Pradhan ***Petitioner***
Mr.Jugal Kishore Panda, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. K.K.Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel for the State.
3. This is an application under Section 439 of the Criminal Procedure Code filed by the Petitioner to release him on regular bail in connection with Boudh P.S. Case No.54 of 2022 corresponding to C.T.Case No.66 of 2022 pending in the Court of the learned S.D.J.M., Boudh for commission of an alleged offence under Section 380 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is languishing in jail custody since 22.02.2022 and the Investigating Agency after completion of investigation submitted charge sheet in this case. It is further submitted by the learned counsel for the Petitioner that the Petitioner was working as Peon in the A.D.J. Court, Boudh. The allegation against the Petitioner is that he had taken away the records of the Court of the A.D.J., Boudh. It is further

submitted by the learned counsel for the Petitioner that the record has been recovered and disciplinary action has been initiated against the Petitioner.

6. Learned Additional Standing Counsel on the other hand opposes the prayer for bail of the Petitioner and submits that the allegation against the Petitioner is very serious and no leniency should be shown towards the Petitioner.

7. Considering the aforesaid submissions and keeping in view the surrounding circumstances of the case and the period of custodial detention of the Petitioner and the fact that record has been recovered from the Petitioner and the disciplinary proceeding has been initiated against the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions

- i) shall cooperate with the trial of the case and shall appear in trial court on each and every date to which the case is posted.
- ii) shall not indulge in any offence of similar nature
- iii) shall not tamper with the prosecution evidence while on bail.
- iv) shall not influence or threaten any prosecution evidence while on bail.
- v) Violation of any of the terms and conditions shall entail cancellation of bail.

8. The trial court may also impose any other condition(s) as deem fit and proper.

9. The Bail Application is accordingly disposed of.

10. Issue urgent certified copy of this order as per Rules.

