

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5319 of 2020

***Daitaree Behera @ Bhagaban
Behera***

....

Petitioner

Mr. J. Khuntia, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.G.N. Rout, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
16.03.2022**

Order No.

- 03.
1. This matter is taken up through hybrid arrangement (virtual/physical mode).
 2. Learned counsel for the Petitioner submits that here in the case, the Petitioner being the father of the principal accused Niranjana against whom the allegations as to commission of principal offences run has been unnecessarily arraigned in the case being assigned with some role having no nexus with the commission of the principal offences. It is further submitted that the attempt to implicate this Petitioner in the above manner is only to harass him to the maximum. In view of all these above and in the absence of any such impediment; he urges for grant of bail to the Petitioner.

3. Learned counsel for the State does not dispute the position that the allegations in respect of commission of the principal offences do not run against this Petitioner.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioner; it is directed that in the event the Petitioner surrenders before the court in seisin of the case in connection with Balasore Sadar P.S. Case No.89 of 2020 corresponding to C.T. Case No.257 of 2020 converted to Special Case No.105 of 2020 on the file of learned Additional Sessions Judge-cum-Special Judge, Balasore within two weeks hence and moves for his release on bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the said court in seisin of the case with further condition that he will not threaten or terrorize the prosecution witnesses including the victim in any manner.

5. The ABLAPL is accordingly disposed of.

6. Issue urgent certified copy as per rules.

(D. Dash)
Judge