

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4429 of 2022

Mangal Jaypuria

....

Petitioner

Mr. Bijaya Kumar Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Nayak, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

20.05.2022

Order No.

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 Jharsuguda P.S. Case No.613 of 2021, corresponding to C.T. Case No.2938 of 2021, pending in the file of learned S.D.J.M., Jharsuguda, for commission of alleged offences under Sections 457/380/34 of I.P.C.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. Learned counsel for the Petitioner submits that Petitioner is languishing in jail custody since the date of his arrest, i.e. 29.03.2021. It is submitted that Petitioner is an innocent person and he has been falsely implicated in the case. It is also

submitted that there is no iota of evidence available against the Petitioner to connect him in the alleged crime. It is further submitted that Petitioner is a resident of the locality, therefore, there is no chance to evade the process of trial or tamper with the prosecution evidence. The further submission is that Petitioner is a law abiding person and will abide by any terms and conditions imposed by this Court in the event of release on bail.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner on the ground that he is involved in serious offence. Therefore, no leniency should be shown to the Petitioners. Accordingly, he prays for rejection of his bail application.

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 Petitioner, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with two solvent sureties for the like amount to the satisfaction of the learned court in seisin of the matter subject to the terms and conditions as would be deem fit and proper by the trial court with a further condition that he shall appear before the I.O. once in a fortnight, preferably on Sunday from 10 A.M. to 1 P.M., till conclusion of the trial and cooperate in the investigation.

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

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

(A.K. Mohapatra)
Judge

U.K.Sahoo

