

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4435 of 2022

Lemon Parida and others ***Petitioner***
Mr. Surjya Narayan Sahu, 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 Petitioners for bail in connection with Aska P.S. Case No.83 of 2022, corresponding to G.R. Case No.188 of 2022, pending in the file of learned J.M.F.C., Aska, for commission of alleged offences under Sections 458/427/323/307/506/34 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 Petitioners are languishing in jail custody since the date of their arrest, i.e. 04.03.2022. It is further submitted that Petitioners are innocent persons and they have been falsely implicated in the alleged crime due to political rivalry. It is submitted that the

statement of witnesses recorded under Section 161 Cr.P.C. do not make out a prima facie case against the Petitioners. Moreover, the injury sustained by the Informant is simple in nature. It is submitted that since the investigation of the case has substantially progressed, there is no chance to evade the trial of the case. It is also submitted that Petitioners are ready and willing to abide by any terms and conditions as would be fixed by this Court in the event of bail.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioners 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 Petitioners, this Court is inclined to release the Petitioners on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) each with one solvent surety each 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 including one condition that the Petitioners will appear before the local police station once in a fortnight, preferably on Sunday from 10 AM. To 1 PM, till end of trial.

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

