

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4436 of 2022

Lemon Parida and others ***Petitioners***
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.82 of 2022, corresponding to G.R. Case No.187 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 Petitioners submits that Petitioners are languishing in jail custody since the date of their arrest, i.e. 04.03.2022. It is submitted that Petitioners are innocent persons and they have been falsely implicated in the case due to political rivalry. It is also submitted that the FIR is

shaky in nature and in absence of any such cogent, convincing and unimpeachable evidence available against the present Petitioners, the bail application of the Petitioners deserves kind consideration of this Hon'ble Court. In the meantime the investigation has substantially been progressed, therefore, there is no chance to evade the process of trial or tamper with the prosecution evidence. It is also submitted that Petitioners are the law abiding persons and will abide by any terms and conditions imposed by this Court in the event of their release on 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.

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

