

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4491 of 2022

Sangram Bhukta

....

Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C.Das, A.S.C.

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. 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 Khalikote P.S. Case No.140 of 2022 corresponding to G.R.Case No.316 of 2022 pending in the Court of the learned J.M.F.C., Khallikote for commission of an alleged offence under Sections 341, 294, 323, 324, 307, 379, 506/34 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 22.03.2022. It is further submitted by the learned counsel for the Petitioner that the injuries sustained by the victim are simple in nature and after treatment he has been discharged from the hospital. He further submits that he has been falsely entangled in the case. It is also submitted by the learned

counsel for the Petitioner that since the Petitioner is the inhabitant of Ganjam district, there is no chance of his absconding or fleeing from receiving justice. In the event of his release by this Court, the Petitioner shall appear before the trial court on each date of posting of the case and is ready and willing to abide by the terms and conditions that may be imposed by this Court.

6. Learned counsel for the State on the other hand opposes the prayer for bail of the Petitioner and submits that the alleged offences are serious in nature. He further submits that the victim has sustained multiple injuries. Accordingly, learned counsel for the Petitioner urges rejection of the bail application of 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, this Court is inclined to grant bail to 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 one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following conditions:

- i) he 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 witnesses while on bail.
- v) shall appear before the concerned P.S. once in a fortnight preferably on Sunday between 10A.M. to 1 P.M. till filing of charge sheet.

- vi) This order shall remain effective only if it is found that the injuries sustained by the victim are simple in nature and the victim has been discharged from the hospital.
 - vi) 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 deemed fit and proper.
9. The Bail Application is accordingly disposed of.
10. Issue urgent certified copy of this order as per Rules.

RKS

