

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4506 of 2022

Deepak Singh @ Monu

.... ***Petitioner***
Mr. Ajit Ku. Raut, 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 Jharsuguda P.S. Case No.159 of 2022 corresponding to C.T.Case No.678 of 2022 pending in the Court of the learned S.D.J.M., Jharsuguda for commission of an alleged offence under Sections 341,294,307,506/34 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 20.03.2022. It is also submitted by the learned counsel for the Petitioner that though the Petitioner's name does not find place in the F.I.R., but he has been arrested by the Police falsely implicating him as an accused. The injuries sustained by the injured are simple in nature. Moreover, the Petitioner has no criminal antecedents. It is also submitted by the

learned counsel for the Petitioner that co-accused has already been released on bail by this Court in BLAPL No.3600 of 2022. It is further submitted by the learned counsel for the Petitioner that since the Petitioner is the inhabitant of Jharsuguda 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 Petitioner is involved in serious offence and he may commit similar offence if he is released on bail and he may not cooperate with the investigation. 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 entire facts of the case and the period of custodial detention of the Petitioner and keeping in view the fact that co-accused has been released on bail, 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) 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 deem fit and proper.

9. The Bail Application is accordingly disposed of.

10. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge

