

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4529 of 2022

Deba @ Deban @ Debendra Panda ***Petitioner***
Mr. Priya Ranjan Singh, 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 Paradeep Lock P.S. Case No.51 of 2022, corresponding to G.R. Case No.176 of 2022, pending in the file of learned J.M.F.C.(P), Kujang, for commission of alleged offences under Sections 457/380 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. 18.03.2022. It is further submitted that police after completion of investigation has filed charge-sheet against the Petitioner. It

is also submitted that Petitioner is an innocent person and he is no way connected with the alleged occurrence and basing on his confessional statement, he has been arrayed as an accused. In the meantime the stolen article has already been recovered and investigation has already over, therefore, there is no chance to evade the trial of the case. It is also submitted that Petitioner is 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 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 one solvent surety 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 Petitioner will appear before the local police station once in a fortnight, preferably on Sunday from 10 AM. To 1 PM, till end of trial. Failure to comply the above terms and conditions as fixed by this Court as well as the trial court, shall automatically revoke the order of bail. In such event, the trial

court shall immediately issue NBW against the Petitioner and take him to judicial custody.

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

