

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4542 of 2022

Gourahari Pradhan

....

Petitioner

Mr. D.K. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, 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 Kinjhirikela P.S. Case No.103 of 2021, corresponding to G.R. Case No.1443 of 2021, pending in the file of S.D.J.M., Sundargarh, for commission of alleged offences under Sections 341/323/307/506/ 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. 18.09.2021. It is further submitted that Petitioner is an innocent person and a false case has been foisted against him only to harass him and put him inside the custody. It is submitted that

Petitioner has no criminal antecedent and the injuries sustained by the injured are simple in nature. 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 offences. Therefore, no leniency should be shown to the Petitioner. 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 deem fit and proper by the trial court including one condition that the Petitioner will appear before the local police station as and when required and cooperate in the trial of the case. In the event Petitioner fails to comply the terms and conditions fixed by the trial court as well as the High Court, the order shall stand revoked and it is open to the trial court to immediately issue NBW against the Petitioner and take him to the 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

