

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4684 of 2022

Raghu Rout

.... ***Petitioner***
M/s. U.Barik, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
M/s.S.S.Pradhan, A.G.A.

CORAM:

JUSTICE G. SATAPATHY

ORDER

07.12.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Jaipatna P.S. Case No.132 of 2022 corresponding to C.T. Case No.130 of 2022 pending in the Court of learned J.M.F.C., Jaipatna for commission of offence punishable U/Ss. 370/374 of the I.P.C. read with Section 25 of I.S.M.W. Act on the allegation of handing over his uncle to a labour contractor to work in Hyderabad but subsequently his uncle was found missing.
 3. In the course of hearing of the bail application, Mr.U.Barik, learned counsel for the petitioner submits that the petitioner is inside jail custody since 14.04.2022 and there is no mens rea on the part of the petitioner to commit any crime, rather the petitioner had been to Hyderabad to search his uncle but the petitioner has been put behind bar on the false allegation of Human Trafficking. On the aforesaid submissions, learned counsel for the petitioner prays to enlarge the petitioner on bail.

4. On the contrary, Mr.S.S.Pradhan, learned counsel for the State on the other hand opposes the bail application of the petitioner and he submits that all the witnesses suspect the petitioner to have sold away his uncle to any labour contractor and, therefore, the victim having not traced till today, the bail application of the petitioner may kindly be rejected.

5. Considering the rival submissions made, nature and gravity of accusations raised against the petitioner as also the other surrounding circumstance including the pre-trial detention of the petitioner and submission of charge sheet in this case and keeping in view the allegation against the petitioner, this Court considers it proper to admit the petitioner to bail.

6. Hence, the prayer for bail of the petitioner is allowed and the Petitioner be released on bail on furnishing bail bonds of Rs.50,000/- with two solvent sureties each for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of the trial and that the petitioner shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with and that the petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on second Saturday of every month in between 10 A.M. to 12 Noon for three months from the date of release from the custody. The I.I.C. of jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at

liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(G. Satapathy)
Judge

Kishore

