

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4802 of 2022

Gyana @ Deepak Behura

....

Petitioner

Mr. K. Pattanaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. R. Tripathy, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.06.2022

Order No.

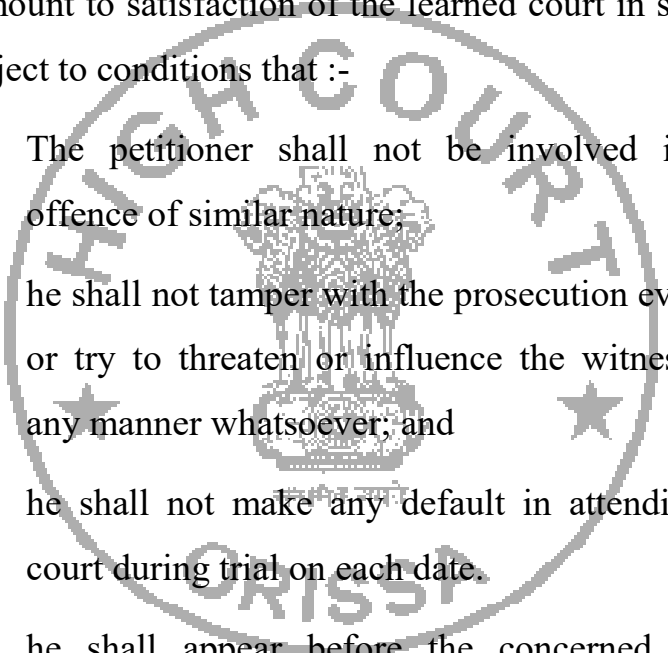
01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners as well as leaned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in G.R. Case No.435 of 2021 corresponding to Madhupatna P.S. Case No.75 of 2021 pending in the court of learned J.M.F.C.(City), Cuttack for commission of offence punishable under Section 395, I.P.C.
5. It is alleged that while the informant returning to his house in his bike at the point of pistol, the petitioner along with others taken away cash of Rs.8,100/-.
6. It is submitted by learned counsel for the petitioner that the

F.I.R. has been lodged against unknown persons and the petitioner has been falsely implicated in this case and is in custody since 25.03.2021.

7. Learned counsel for the State vehemently opposes the prayer for bail of the petitioner.

8. Having heard learned counsel for the parties and considering the period of detention of the petitioner, it is directed that let the petitioner be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with one local solvent surety for the like amount to satisfaction of the learned court in seisin over the matter subject to conditions that :-

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- I. The petitioner shall not be involved in any offence of similar nature;
 - II. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever; and
 - III. he shall not make any default in attending the court during trial on each date.
 - IV. he shall appear before the concerned Police Station once in every week preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial

Violation of any of the terms and conditions shall entail cancellation of bail.

9. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

10. The Bail Application is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Vacation Judge

Jagabandhu

