

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4807 of 2022

***Pettala Sanjay @ P. Sanjay and
another*** ***Petitioners***

Mr. Julu Khansma, 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 petitioners are accused in C.T. Case No.116 of 2022 corresponding to Attabira P.S. Case No.119 of 2022 pending in the court of learned NGN-cum-J.M.F.C., Attabira for commission of offence punishable under Sections 394/468/471/34, I.P.C.
5. It is alleged that the petitioners restrain the informant on the way and assaulted him and took away a cash of Rs.1,65,000/- from the dicky of the motorcycle of the informant.

6. It is submitted by learned counsel for the petitioners that the F.I.R. has been lodged against unknown persons and the petitioners have been falsely implicated in this case and is in custody since 09.04.2022.

7. Learned counsel for the State vehemently opposes the prayer for bail of the petitioners and submits that a cash of Rs.1,86,000/- has been recovered from the possession petitioners and that they are involved in three other cases.

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

- I. The petitioners shall not be involved in any offence of similar nature;
- II. they shall not tamper with the prosecution evidence or try to threaten or influence the witnesses or the victim or her family members in any manner whatsoever; and
- III. they shall not make any default in attending the court during trial on each date.
- IV. they shall appear before the concerned Police Station once in a fortnight 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

