

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4828 of 2022

Ashim Praharaj

.... ***Petitioner***
Mr. S. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. R.K. Roul, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
13.06.2022

Order No.

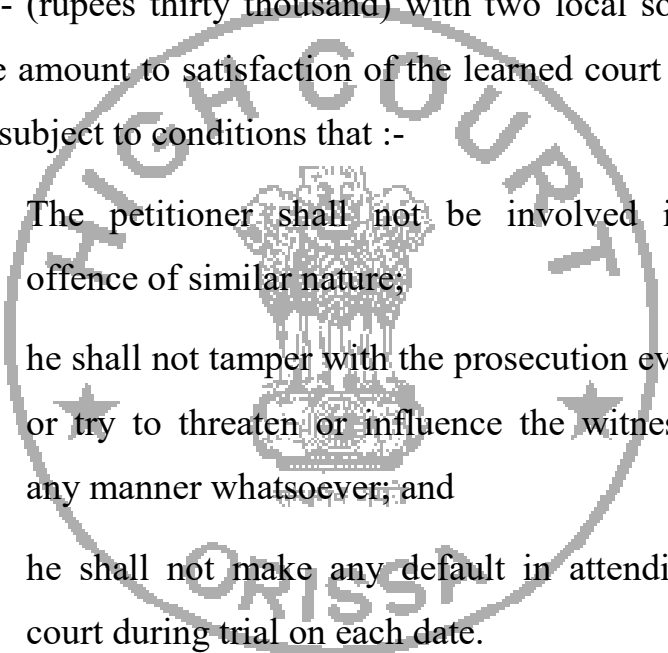
01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner 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.233 of 2022 corresponding to Baliana P.S. Case No.92 of 2022 pending in the court of learned J.M.F.C.(O), Bhubaneswar for commission of offence punishable under Sections 417/465/468/471, I.P.C.
5. It is alleged that the petitioners misbehaved with the victim and abused her in filthy languages.
6. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and is in custody

since 29.04.2022. Further, he submits that the on similar footing with the present petitioner, other co-accused has already been released on bail by this Court in BLAPL No.4668 of 2022 by order dated 31.05.2022.

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 two local solvent sureties 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.

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. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents. In the event it is found that the petitioner has any such criminal antecedents, this bail order

shall automatically stands revoked.

11. The Bail Application is accordingly disposed of.

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

(A.K. Mohapatra)
Vacation Judge

Jagabandhu

