

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4843 of 2022

S. Pradeep Reddy

.... ***Petitioner***
Mr. M.K. Chand, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. D.K. Pani, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
13.06.2022

Order No.

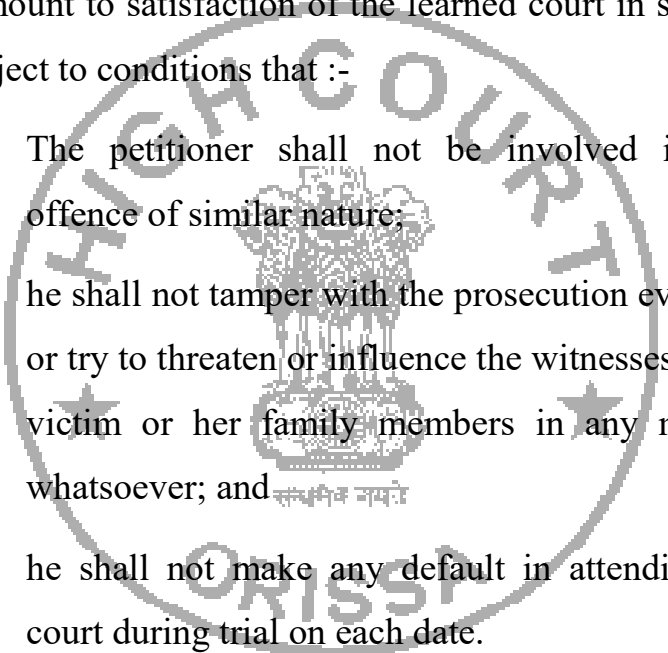
01.

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.64 of 2022 corresponding to Digapahandi P.S. Case No.152 of 2022 pending in the court of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Berhampur for commission of offence punishable under Sections 341/294/354, I.P.C. read with Section 12 of the POSCO.
5. It is alleged that the petitioner 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 09.05.2022.

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 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 or the victim or her family members 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

