

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4880 of 2022

Mangal Jaypuria

....

Petitioner

Mr. Bijaya Kumar Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K.Mohanty, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.06.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. During course of hearing, learned counsel for the Petitioner is permitted to correct the name of the Court in Court today.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Jharsuguda P.S. Case No.632 of 2021, corresponding to C.T. Case No.3012 of 2021, pending in the file of learned S.D.J.M., Jharsuguda, for commission of alleged offences under Sections 457/380 of I.P.C.
4. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
5. Learned counsel for the Petitioner submits that Petitioner is languishing in jail custody since the date of his arrest, i.e. 20.05.2022. It is further submitted that police after completion of investigation has filed charge-sheet against the Petitioner. The further submission is that there is no clinching evidence against the Petitioner to connect him in the alleged crime. It is also submitted

that Petitioner is a law abiding citizen therefore, there is no chance to evade the trial of the case. Learned counsel for the Petitioner further submits that Petitioner has been remanded in this case on 20.05.2022 and since that date, he has been languishing in jail custody. Accordingly, he urges grant of bail to the Petitioner.

6. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner on the ground that there are several similar criminal antecedents against the Petitioner therefore the release of the Petitioner at this juncture would be a threat to the society at large. In such view of the matter, he opposes the bail application of the Petitioner.

7. Having regard to the facts and circumstances of the case, considering the nature and gravity of offences alleged and the period of detention of the Petitioner, this Court is inclined to release the Petitioners on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with two solvent sureties for the like amount to the satisfaction of the learned court in seisin of the matter subject to the terms and conditions as would be deemed fit and proper by the trial court with a further condition that he shall appear before the local police station once in a week for two months and thereafter once in a month till conclusion of trial.

8. With the above direction, the BLAPL is accordingly allowed.

9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge