

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4895 of 2022

Rajesh Kumar Shaw

.... ***Petitioner***
Mr. P.R. Singh, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Ms. Samapika Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
17.06.2022

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.206 of 2022 corresponding to Balimi P.S. Case No.64 of 2022 pending in the court of learned S.D.J.M., Hindol for commission of offence punishable under Sections 379/34, I.P.C.
5. It is alleged that the petitioner has been taken seven numbers of Gas Pipes by cutting into pieces.
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 not been named in the F.I.R. and he has no role to play in the alleged

offence and he is in custody since 26.04.2022.

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 :-

- 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 informant or his 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. The Bail Application is accordingly disposed of.

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

(A.K. Mohapatra)
Vacation Judge

