

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5293 of 2022

Amar Pradhan

Petitioner

....
Mr. Manas Kumar Chand, Advocate

-versus-

State of Odisha

Opposite Party

....
Mr. P.K. Maharaj, ASC for State

**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 both the parties and perused the records.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with 1CC Case No.15 of 2008, corresponding to S.T. Case No.23/23 of 2015/2011, pending in the file of learned Assistant Sessions Judge, Banapur, for commission of alleged offence under Sections 376 of I.P.C.
4. Learned counsel for the Petitioner submits that initially Petitioner was granted bail by order of this Court dated 23.12.2012 but due to his non-appearance before the lower court on the date of charge of the case record, NBW was issued against the Petitioner and on the basis of said NBW, the Petitioner was arrested and forwarded to the court on 01.06.2022. He further submitted that the investigation of the case has already been completed and charge-

sheet has been submitted by the I.O. The further submission is that Petitioner is a law abiding person and will abide by any terms and conditions imposed by this Court in the event of release on bail.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner on the ground that he is involved in serious offence. Therefore, no leniency should be shown to the Petitioner. Accordingly, he prays for rejection of his bail application.

6. 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 Petitioner on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety 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 deem fit and proper by the trial court.

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

8. Issue urgent certified copy in course of the day.

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9. Learned counsel for the Petitioner does not want to press this bail application.

10. I.A. stands disposed of as not pressed.

(A.K. Mohapatra)
Vacation Judge