

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 534 of 2022

Surendra Behera* *Appellant

Mr.A.Mishra, Advocate

-versus-

State of Odisha & another* *Respondents

*Mr.Debasis Biswal,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
16.08.2022**

Order No.

02.

This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Learned counsel for the State submitted that notice on the informant is sufficient.

None appears on behalf of the informant.

Heard learned counsel for the appellant and learned counsel for the State.

This is an appeal under section 14-A(2) of S.C. & S.T. (PoA) Act, 1989 in connection with G.R. Case No.576 of 2022 arising out of Kundura P.S. Case No.58 of 2022 pending in the Court of learned Sessions Judge -cum- Special Judge, Korput at Jeypore for offences punishable under sections 294,506,436,323,354/34 of the Indian

Penal Code read with sections 3(1)(r)/3(2)(va) of the S.C. & S.T. (PoA) Act.

The appellant moved an application for bail before the Court of learned Sessions Judge -cum- Special Judge, Korput at Jeypore, which was rejected on 23.06.2022.

Learned counsel for the appellant submitted that the appellant is in judicial custody since 01.06.2022 and in the meantime the investigation has made substantial progress and though the case was registered under section 436 of the Indian Penal Code, but there is no such material to that effect against the appellant and therefore, the bail application of the appellant may be favourably considered.

Learned counsel for the State on verification of the case fairly submits that there is no criminal antecedent against the appellant and it was ascertained during investigation that the house of the informant was not burnt.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the appellant, absence of any criminal antecedent against him and taking into account the period of detention of the appellant in judicial custody, I am inclined to release the appellant on bail.

Let the appellant be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty

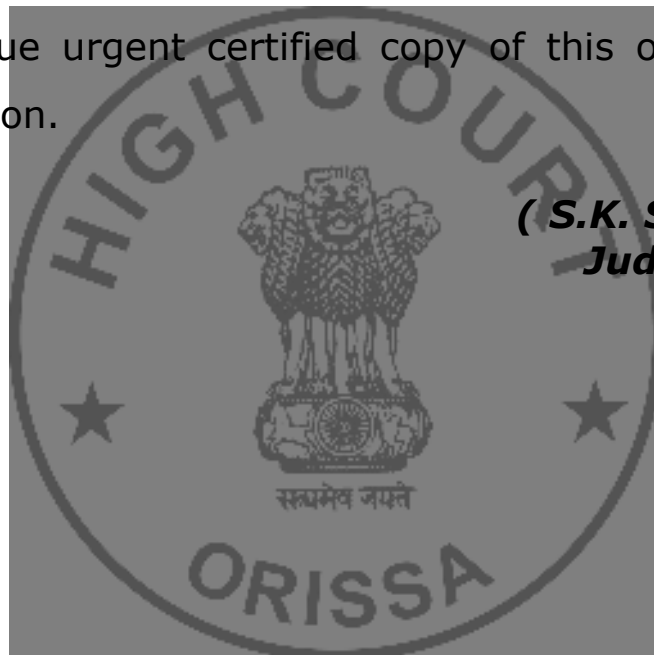
thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper with further conditions that he shall not indulge in any criminal activities and shall appear before the learned trial Court on each date to which the case would be posted for trial.

Violation of any of the conditions shall entail cancellation of bail.

The CRLA is accordingly disposed of.

Issue urgent certified copy of this order on proper application.

(S.K. Sahoo)
Judge



PKSahoo