

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6365 of 2022

***Jogeswar @ Tinku Pattnaik and
another***

Petitioner

Mr. D.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
26.07.2022**

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in C.T. Case No.996 of 2022, on the files of learned S.D.J.M., Jharsuguda, arising out of Jharsuguda P.S. Case No.213 of 2022, under Sections 307/34 of IPC is in custody since 21.04.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned ADJ-Cum-Special Court under POCSO Act, Jharsuguda by order dated 21.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioners submits that in the meanwhile charge sheet has been submitted and the incident is on

account of fit of anger without any pre-mediation and it is stated that considering the age of the petitioner and the period of custody the petitioners be enlarged on bail.

6. Learned counsel for the State opposes the prayer stating that the injuries suffered are grievous in nature and if released there is threat perception to the witnesses.

7. Considering the age of the petitioners and submission of charge sheet, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. It is submitted by the learned counsel for the petitioners that the petitioners have no criminal proclivity. While enlarging the petitioners on bail the learned court below shall verify such assertion. If it comes to the fore that the petitioners have any criminal antecedent this order shall stand recalled.

9. Additionally, it is directed that the petitioners shall appear before the jurisdictional Police Station once every week till the conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi