

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6000 of 2021

Haribala Sandha

.... ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. P.K. Pattnaik, AGA

CORAM:
JUSTICE G. SATAPATHY

ORDER
22.11.2022

Order No.

- 05.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the petitioner for grant of bail in connection with G.R. Case No.110 of 2021 arising out of Birmaharajpur P.S. Case No.52 of 2021 pending in the file of learned S.D.J.M., Birmaharajpur, Dist-Subarnapur for commission of offences punishable under Section 395 of IPC read with Section 25/27 of Arms Act, on the allegation of committing dacoity from a team going to load cash in the ATM counter of Bank of Baroda.
 3. In the course of hearing of the bail application, Mr. A. Mishra, learned counsel for the petitioner submits that the co-accused persons standing on similar footing have already been granted bail in BLAPL No.4283 of 2021 and 5624 of 2021 and, the petitioner, therefore, having remained in custody for more than a year, may kindly be

released on bail.

4. On the contrary, learned counsel for the State, however, strongly opposes the bail application of the petitioner.

5. Considering the rival submissions made, nature and gravity of the accusations, the pre trial detention of the petitioner and release of co-accused Manas Ranjan Chaulia and Sunil Kumar Maharana on bail and recovery of the substantial amount of money, this Court considers the bail application of the petitioner favourably.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case and that the petitioner shall report attendance before the jurisdictional Police Station once in a week for six months preferably on Monday in between 12 Noon to 1 PM. The I.I.C. of jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case is at liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of. The above order shall not be considered as a ground for grant of bail of co-accused persons.
8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita

