

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7075 of 2022

Pramod Jena and another

....

Petitioners

Mr. A.K. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.08.2022

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 G.R Case No.221 of 2022, on the files of Gramya Nyayalaya Cum-J.M.F.C. (Tangi), arising out of Tangi P.S. Case No.217 of 2022, under Sections 353/323/186/332/307/34 of IPC read with Section 3/4/5/7 of the Immoral Traffic Prevention Act, 1956 and is in custody since 30.04.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Khurda, by order dated 22.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioners submits that on bare perusal of the FIR, it can be seen that the allegation of assault is

against one Purnima Mishra who is not the petitioner before this Court.

6. And, hence seeks release inter alia on the ground that the petitioners have been blessed with two kids who are facing hardship because their parents are in custody.

7. Learned counsel for the State opposes such prayer for bail inter alia on the ground that keeping in view the nature of the allegations of committing offence against the police officials who are performing their duty, the petitioners are not entitled to be released on bail.

8. Taking note of the allegations as made and keeping in view the hardship as stated by the learned counsel for the petitioners, 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.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi