

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6559 of 2021

Ganesh Jal

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.02.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in C.T. (Special) Case No.116 of 2020 corresponding to Brajarajnagar P.S. Case No.482 of 2020 pending in the court of learned A.D.J.-cum-Special Court, POCSO, Jharsuguda for commission of offence punishable under Section 376-AB, I.P.C. read with Section 6 of the POCSO Act.
5. It is submitted by learned counsel for the Petitioner that the Petitioner is in custody since 05.12.2020.
6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.

8. Having heard learned counsel for the parties and considering the period of detention of the Petitioner, it is directed that let the Petitioner be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to conditions that the Petitioner shall not get involved in any offence of similar nature while he is on bail, he shall not tamper with the prosecution evidence, try to threaten or influence the prosecution witnesses in any manner whatsoever, shall not make any attempt to approach, influence either the victim or her family members in any manner whatsoever, shall not try to contact with the victim or her family members in any manner whatsoever and shall appear in court during trial on each and every date without fail. Violation of any of the terms and conditions shall entail cancellation of bail granted hereby. It is open for the court in seisin over the matter to impose any conditions as may deem just and proper.

9. The Bail Application is accordingly allowed.

10. Urgent certified copy of this order be granted on proper application

Jagabandhu

(*A.K. Mohapatra*)
Judge