

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7159 of 2021

***Subha Prakash Sathapathy and
another***

....

Petitioners

Mr. S.C. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

**ORDER
15.02.2022**

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 on record.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in G.R. Case No.624 of 2021 arising out of Kishorenagar, Angul P.S. Case No.113 of 2021 pending in the court of learned S.D.J.M., Athamalik for commission of offence punishable under Sections 364/395, I.P.C. read with Section 25 of the Arms Act.
5. It is submitted by learned counsel for the Petitioner that on similar footing with the present Petitioner, co-accused persons have already been released on bail by this Court in BLAPL No.6873 of 2021 by order dated 14.12.2021 and the present Petitioner is in custody since 29.07.2021.

6. Mr. Mohanty, learned Additional Standing Counsel for the State vehemently, opposes the prayer for bail of the Petitioner.

7. Having heard learned counsel for the parties and considering the allegations made against the Petitioner and period of detention of the Petitioner, it is directed that let the Petitioner be released on bail 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 subject to conditions that the Petitioner shall not be involved in any offence of similar nature, he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever, shall not make any default in attending the court during trial on each date and shall appear before the concerned Police Station once in a week preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial. Violation of any of the terms and conditions shall entail cancellation of bail.

8. It is open for the court in seisin over the matter to impose other conditions as may deem just and proper.

9. The Bail Application is accordingly disposed of.

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

Jagabandhu

(*A.K. Mohapatra*)
Judge