

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7364 of 2021

Sunil Harijan

.... Petitioner
Mr. S.K. Nayak, Advocate

-versus-

State of Odisha

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

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
16.02.2022

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 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 C.T. Case No.164 of 2021 arising out of Jaipatna P.S. Case No.170 of 2021, pending in the court of learned J.M.F.C., Jaipatna, for alleged commission of offences under Sections 395/397/400, I.P.C. read with Section 27 of the Arms Act.
5. Learned counsel for the Petitioner submits that Petitioner is in jail custody since the date of his arrest, i.e. from 18.06.2021. It is further submitted that Petitioner has no criminal antecedents. Learned counsel for the Petitioner files bail applications of the co-accused persons, namely, R. Nageswar Rao, Babula @ Babuloc Harijan, Sonu

@ Sany Harijan and Ugre Harijan, who have been released on regular bail by this Court in BLAPL Nos.5879 of 2021, 7504 of 2021, 7455 of 2021 and 5943 of 2021 respectively. Accordingly, he prays before this Court for grant of bail at par with the other co-accused persons.

6. Learned counsel for the State also reiterates the fact that the other co-accused persons have already been granted bail by this Hon'ble Court. Learned State counsel further submits that the present Petitioner has no criminal antecedents.

7. Upon perusal of the Case Diary and the fact that Petitioner has been languishing in jail custody since the date of his arrest, i.e. from 18.06.2021, I am inclined to enlarge the Petitioner on bail in the above case on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned court below with condition that he shall not be involved in any criminal activities while on bail and shall report to the I.O. for the purpose of investigation on every 'Sunday' from 10.00 A.M. to 1.00 P.M.. It is open to the court in seisin of the matter to impose any other condition(s) as would be deemed fit and proper in the facts and circumstances of the case.

8. The BLAPL is accordingly disposed of.

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

(A.K. Mohapatra)
Judge