

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.7511 of 2021**

***Babu Kang @ Sarfaraj Khan***

....

***Petitioner***

*Mr. Manas Chand, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

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

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**25.02.2022**

**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.456 of 2021 arising out of Lephripada P.S. Case No.54 of 2021 pending in the court of learned S.D.J.M., Sundargarh for commission of offence punishable under Sections 457/380, I.P.C.
5. It is submitted by learned counsel for the Petitioner that the Petitioner is in custody since 28.05.2021 and charge-sheet in the case has already been submitted.
7. Mr. Mohanty, leaned Additional Standing Counsel for the State vehemently opposes the prayer for bail of the Petitioner.
8. Having heard learned counsel for the parties, considering the

nature of offence and period of custodial detention of the Petitioner, it is directed that let the Petitioner be released on bail on furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with two local solvent sureties 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 without fail, he shall not make any attempt to come in contact with the informant and shall appear before the concerned Police Station twice in a week for a period of two months and 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.

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

10. The Bail Application is accordingly disposed of.

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

Jagabandhu

**( A.K. Mohapatra )**  
**Judge**