

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7522 of 2021

Ritik Manseth and another

....

Petitioners

Mr. Mahes Das, *Advocate*

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.01.2022

Order No.

03.

1. This matter is taken up through Video Conferencing Mode.
2. Heard Mr. Mahes Das, learned counsel for the Petitioners and Mr. K.K. Nayak, learned counsel for the State.

Perused the F.I.R., case diary, 161, Cr.P.C. statement and other relevant documents on record.

3. This is an application under Section 439 of the Criminal Procedure Code.

4. The Petitioners are accused in C.T. Case No.176 of 2021 corresponding to M. Rampur P.S. Case No.88 of 2021 pending in the court of learned J.M.F.C., M. Rampur for commission of offence punishable under Section 395, I.P.C.

5. It is alleged that on 06.05.2011, the informant was returning from Bhawanipatna to Berhampur some unknown persons restrained him and forcibly snatched away mobile phones and cash of Rs.700/-

and other materials from him.

6. It is submitted by learned counsel for the Petitioners that basing on the confessional statement of the co-accused, the Petitioners have been falsely implicated and have been arrested and forwarded to judicial custody. Further, it is submitted that co-accused persons on similar footing with the petitioners have already been released on bail by this Court.

7. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioners and submits that they are identified in the T.I. Parade.

8. Having heard learned counsel for the parties and considering the period of detention of the Petitioners and the fact that co-accused person has already been released on bail, it is directed that let the Petitioners be released on bail by furnishing a bail bond of Rs.30,000/- (Rupees thirty thousand) each with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to conditions that the Petitioners shall not involve in any offence of similar nature, they shall not make any default in personal attendance in the court during trial on each date and they 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. It is open for the court in seisin over the matter to impose any other conditions may deem just and proper.

9. The Bail Application is accordingly allowed.

10. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in

the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

(A.K. Mohapatra)
Judge

Jagabandhu

