

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7784 of 2021

Papu Malik

.... ***Petitioner***
Mr. U.R. Jena, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.02.2022

Order No.

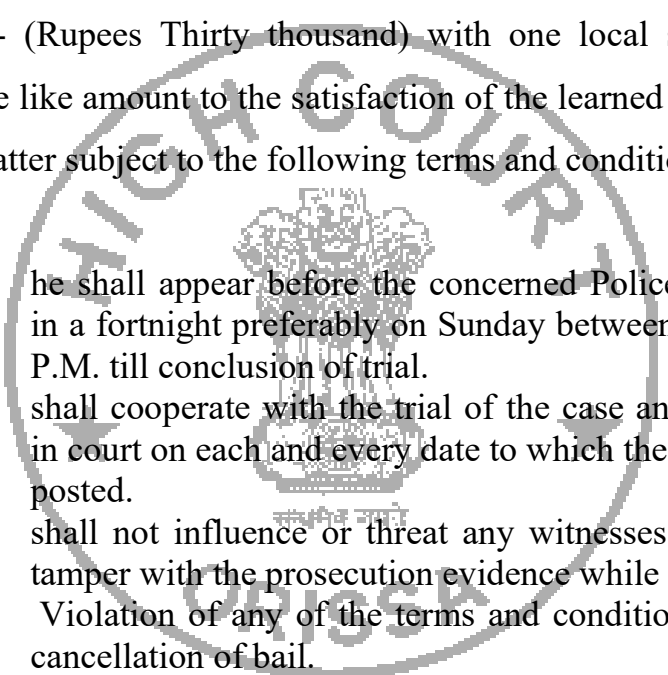
05.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel for the State.
3. This is an application under Section 439 of the Criminal Procedure Code filed by the Petitioner to release him on regular bail in connection with C.T.Case No.608 of 2021 pending in the Court of the learned J.M.F.C., Soro, which arises out of Soro P.S.Case No.275 of 2021 for commission of an alleged offence under Sections 452,294,323,386,342,427,506/34 of the Indian Penal Code.
4. Learned counsel for the Petitioner files an Affidavit in Court today and the same is kept on record. Along with the Affidavit, learned counsel for the Petitioner has also filed bail orders in which co-accused persons have been released on bail by the learned Sessions Judge, Balasore. He further submits that all the accused persons have been enlarged on bail except the present Petitioner. It is also submitted by the learned counsel for the Petitioner that the as it is found that there is criminal antecedents against the present petitioner. The Petitioner is in

custody since 02.07.2021.

5. Learned counsel for the State on the other hand opposes the prayer for bail and submits that since the petitioner has got criminal antecedents to his credit, he should not be released on bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the allegation as well as since all other co-accused persons have already been released on bail on the principle of parity and the custodial detention of the Petitioner, this court is inclined to grant bail to the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one local solvent surety each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

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- i) he shall appear before the concerned Police Station once in a fortnight preferably on Sunday between 10 A.M. to 1 P.M. till conclusion of trial.
 - ii) shall cooperate with the trial of the case and shall appear in court on each and every date to which the case is posted.
 - iii) shall not influence or threaten any witnesses and shall not tamper with the prosecution evidence while on bail.
 - iv) Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is open for the Court in seisin over the matter to fix any other conditions which may be deemed fit and proper in the facts and circumstances of the present case.

8. The Bail Application is accordingly disposed of.

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

