

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8024 of 2021

Maguni Charan Sahoo

..... Petitioner
Mr. S.R. Rout, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr.M.K. Mohanty, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
18.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Athagarh P.S. Case No.178 of 2014, corresponding to C.T. Case No.354(A) of 2014, pending in the court of learned S.D.J.M. Athagarh, for commission of alleged offences under Sections 396/307 of I.P.C.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. Learned counsel for the Petitioner submits that the Petitioner is in custody since 12.08.2021. It is further submitted that after completion of investigation, police has filed charge-

sheet against the present Petitioner. He submits that he has been falsely implicated in the case and he has no criminal antecedents. The only allegation against the Petitioner is that he is the owner of the Bolero of the vehicle, which was used in the crime in another case. It is further submitted that one of the co-accused person, namely, Bhuana @ Chitta Ranjan Behera has been released on bail on 09.06.2017 by this Court on ABLAPL No.81 of 2016. A further submission was also made that Petitioner has one criminal antecedent and arrested in that matter and subsequently released on bail. Accordingly, he urges for bail of the present Petitioner.

5. Learned counsel for the State vehemently opposes the bail application of the Petitioner on the ground that serious allegation has been made against the Petitioner. It is further submitted that earlier Petitioner was also involved in the similar type of offences. Accordingly, he prays for rejection of the bail application of the Petitioner.

6. Having heard learned counsel for the parties and considering the custodial detention of the Petitioner and the peculiar facts and circumstances of the case, this Court is inclined to release the Petitioner on bail subject to stringent conditions. Let the Petitioner be released on bail subject to furnishing bail bond of Rs.50,000/- (Rupees Fifty thousand) with two local sureties for the like amount to the satisfaction of the learned court in seisin over the matter subject to the terms and conditions as fixed by the trial court with a further

condition that he shall appear before the I.O. once in a week for two months and thereafter once in a fortnight, preferably on Sunday from 10 AM to 1 PM, till conclusion of the trial.

7. With the aforesaid observation the BLAPL stands disposed of.

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

(A.K. Mohapatra)
Judge

U.K.Sahoo

