

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.492 of 2021

Mitu @ Suvendu Pradhan

....

Appellant

Mr. Manas Ranjan Panda, Advocate

-versus-

State of Orissa and another

....

Opposite Parties

Mr. P.C. Das, ASC for State

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 Appellant and learned counsel for the State. Perused the Case Diary.
3. The present appeal has been preferred against the rejection order dated 15.09.2021, passed by the learned Special Judge, Puri, in Spl. G.R. No.65 of 2020, arising out of Arakhakuda Marine P.S. Case No.20 of 2020, for commission of the alleged offences under Sections 450/376-D/341/323/294/354/354-B/395/506/34 of I.P.C. and Section 25 of Arms Act and Section 3(1)(R)(v)(va) of S.C. & S.T. (POA) Act.
4. Learned counsel for the Appellant submits that Petitioner had no role in the crime. He has not been named by any of the witnesses to have committed the offence. Further learned counsel for the Appellant draws attention of this Court to Page-19 of the order of rejection, wherein learned court below has mentioned that “The

informant/victim is present in the Court personally and submitted that this present accused is no way connected in this case.” Further on independent scrutiny of the evidence on record, it is found that the evidence against the Petitioner in the alleged crime is found lacking.

5. Learned counsel for the State on the other hand objects the prayer for bail on the ground that the alleged crime is heinous in nature and no leniency may be shown to the Petitioner in the matter of bail.

6. Having heard learned counsel for the parties and keeping in view the nature and gravity of offences alleged and the period of detention of the Appellant, this Court is inclined to release the Appellant on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one solvent sureties for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Appellant shall not tamper with the prosecution evidence or show any threat or influence the witnesses in any manner whatsoever and cooperate in the trial of the case. The court in seisin of the matter is at liberty to impose any additional condition(s), if situation so warrants. Deviation of any of the above conditions shall entail cancellation of the bail of the Appellant.

7. With the above direction, the CRLA stands disposed of.

8. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge