

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8696 of 2021

Papu @ Ajay Moharana

....

Petitioner

Mr. P. Dasmohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER
09.03.2022

I.A. No.364 of 2022

04. 1. An oral prayer is being made by learned counsel for the Petitioner that he does not want to press the I.A. of the Petitioner. Accordingly, the I.A. stands disposed of as not pressed.

(A.K. Mohapatra)
Judge

05. 2. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
3. Heard learned counsel for the Petitioner and learned Additional Standing for the State. Perused the case record, F.I.R. as well as statement of the witnesses.
4. This is an application under Section 439 of the Cr.P.C. for bail arising out of Chauliaganj PS. Case No.150 of 2021 corresponding to G.R. Case No.524 of 2021 pending in the court of learned J.M.F.C.(City), Cuttack for the alleged commission of offences under Section 25(1-A)(1-AA) of the Arms Act.

5. It is submitted that the Petitioner is inside custody since 10.04.2021 and in the meantime investigation having been completed charge-sheet has already been submitted. He further submits that the main accused has already been released on bail by this Court vide BLAPL No.9755 of 2021 by order dated 18.01.2022.

6. Learned counsel for the State opposes the prayer for bail of the Petitioner by submitting that the Petitioner has 11 criminal antecedents.

7. Having heard learned counsel for the parties, considering the custodial detention of the Petitioner as well as nature of accusation against the present Petitioner and the co-accused has already been released on bail in this case, I am inclined to release the petitioner on bail.

8. Let the Petitioner be released on bail in the above noted case, subject to furnishing a bail bond of Rs.50,000/-(rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to following the conditions:-.

- I. Petitioner shall not be involved in any offence of similar nature;
- II. He shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;
- III. He shall not make any default in attending the court during trial on each date; and
- IV. He 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. 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

