

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9155 of 2021

**Chaka @ Prasanna
Adhikari**

...

Petitioner

Mr. B. Jalli, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. S.K. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
04.01.2022**

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard Mr. B. Jalli, learned counsel for the petitioner and Mr. S.K. Mishra, learned Addl. Standing Counsel.
3. The petitioner is in custody since 05.08.2021 in connection with Khallikote P.S. Case No. 367 of 2021 corresponding to G.R. Case No.797 of 2021 of the Court of learned J.M.F.C., Khallikote for the alleged commission of offence under Sections 147/148/341/294/353/336/307/149 of IPC and Section 7 of CrI. Law (Amendment) Act, 2013.
4. It is alleged that the petitioner being associated with some other persons abused and assaulted some police personnel causing bodily injuries on them.
5. Learned counsel for the petitioner submits that except for abusing the police personnel no other act was committed by the petitioner but the incident has been given the colour of a crime. He further submitted that all other co-accused persons

have been released on bail vide order dated 19.07.2021 passed by this Court in BLAPL No. 5444 of 2021.

6. Learned Addl. Standing Counsel on the other hand has opposed the prayer for bail by submitting that if the petitioner is released on bail, he may threaten the witnesses.

7. Having regard to the submissions made, materials on record, the period of detention already undergone and the fact that all other co-accused persons have already been released on bail, I find no justified reason to detain the petitioner in custody any longer. The bail application is therefore allowed. Let the petitioner be released on bail on such terms and conditions as the Court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana