

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10239 of 2022

Banoj Kumar Nahak

....

Petitioner

Mr. P.K. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

09.11.2022

Order No.

01.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.147/148/324/326/307/302/120-B/212/149 I.P.C. and Sections 25/27 of the Arms Act.

2. Heard Mr. P.K. Mohapatra, learned counsel for the Petitioner as well as Mr. K. Das, learned A.S.C. for the State-Opposite Party.

3. It is submitted on behalf of the Petitioner that he is inside custody since 26.9.2017 and in the meantime 27 witnesses have already been examined. It is further submitted that except the informant, no other witnesses have stated about specific overt-act of the Petitioner and in the meantime, 12 co-accused persons including N. Duryodhan Reddy and Krushna Chandra Nayak have already been released on bail.

4. Upon hearing Mr. K. Das, learned Additional Standing Counsel for the State-Opposite Party and considering the

statements of the witnesses made in course of their depositions as well as release of other co-accused persons on bail, it is directed to release the Petitioner on bail in connection with Chhatrapur P.S. Case No.131/2017 corresponding to S.T. Case No.26/2018 on such terms and conditions to be fixed by the learned Additional Sessions Judge, Chhatrapur, Dist.-Ganjam, as he deems just and proper including the condition that the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence, and shall attend the trial court on each date fixed.

5. The BLAPL is disposed of.

6. An urgent certified copy of this order be granted on proper application.

(**B.P. Routray**)
Judge