

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10361 of 2022

Kansa @ Ranjit Nayak

....

Petitioner

Mr. P.K. Behera, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Pattnaik, AGA

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER
22.12.2022**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the petitioner for grant of bail in connection with S.T. Case No.206 of 2022 arising out of Marshaghai P.S. Case No.68 of 2022 pending in the file of learned Sessions Judge, Kendrapara for commission of offences punishable under Sections 302/201/34 of IPC, on the allegation of committing murder of the deceased and causing disappearance of the evidence, along with other accused persons in furtherance of their common intention.
3. In the course of hearing of the bail application, Mr. P.K. Behera, learned counsel for the petitioner submits that the petitioner is no way connected with the murder of the deceased, rather the statement of the co-accused reveals that the petitioner has only assisted in concealing the dead body of the deceased and, therefore,

the petitioner having detained in custody since 04.03.2022 for his liability U/S.201 of IPC, which is bailable in nature, may kindly be granted bail.

4. On the contrary, Mr. P.K. Pattnaik, learned AGA strongly opposes the bail application of the petitioner.

5. Considering the rival submissions made, taking into consideration the nature and gravity of the accusations raised against the petitioner as well as the role alleged against the petitioner in the commission of crime and keeping in view the pre trial detention of the petitioner since 04.03.2022 and regard being had to the allegation against the petitioner on the basis of confession of co-accused and taking into consideration the other circumstance on record in entirety, this Court admits the petitioner on bail.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case and that the petitioner shall report attendance before the Jurisdictional Police Station once in a week preferably on Monday in between 12 Noon to 1 PM. for six(6) months. The I.I.C. of Jurisdictional Police

Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.
8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita

