

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9482 of 2021

Sibananda Sahoo

....

Petitioner

Mr. B.S. Mishra, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.S. Mohapatra, Additional Standing Counsel

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

12.01.2022

Order
No.

- 01.
1. This matter is taken up through video conferencing mode.
 2. Heard learned counsel for the petitioner and learned counsel for the State.
 3. This is an application under Section 439 of Cr.P.C for grant of bail to the petitioner in connection with Badagad P.S. Case No.287 of 2021 registered under Section(s) 364(A), 341, 323, 386, 506 read with 34 IPC corresponding to C.T. Case No.4567 of 2021 pending in the file of learned S.D.J.M., Bhubaneswar on the grounds stated therein.
 4. Perused the FIR i.e. Annexure-1 and impugned order dated 04.10.2021 as at Annexure-2.
 5. Gone through the contents of the FIR.
 6. Learned counsel for the petitioner submits that the principal accused, namely, S.K. Akbar Hussain and two other accused persons have been granted bail by orders of this Court in BLAPL Nos.8114 and 8210 of 2021 and the present accused is on similar footing, who

happens to be a friend of the principal offender named above and therefore, applying parity, he should be released on bail with any conditions which is objected to by the learned counsel for the State on the ground that he and another accused appear to have forcibly took the informant in a car towards the IRC Village as revealed from Annexure-2 itself.

7. The alleged incident took place in the month of July, 2021. The details of the circumstances leading to the alleged kidnapping of informant stand describing in the FIR. In fact, as is made to appear, the vehicle of the principal accused was hired by the informant and thereafter it met with an incident and then subsequent events followed suit. It is alleged that the principal accused with the assistance of other two demanded money and had confined the informant for some time. The principal accused is on bail and also two other accused persons, namely, Saswat Kumar Parida and Jaya @ Jayakrishna Das. It is also made to understand that the informant victim though was confined but subsequently, he was released unharmed.

8. Taking into account the above facts and release of three other accused including the principal accused, namely, S.K. Akbar Hussain and also period of detention as the petitioner is in custody since 25.08.2021, the Court is inclined to release him on bail with conditions and accordingly, it is ordered.

9. In the result, the petitioner is allowed to go on bail on furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) with one solvent surety for the like amount to the satisfaction of the learned court below in seisin over the matter, who shall impose such other conditions, as deemed just and proper, in the facts and circumstances.

10. The BLAPL is disposed of.

11. As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25 March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(R.K. Pattanaik)
Judge

TUDU

