

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9508 of 2021

Subrat Katara

....
Petitioner
Mr. A.K. Nath, Advocate

-Versus-

State of Odisha

....
Opposite Party
Mr. A. N. Pradhan, Additional Standing Counsel

CORAM:
MR. JUSTICE R.K. PATTANAIK

Order
No.

ORDER
12.01.2022

- 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 Banarpal P.S. Case No.333 of 2020 registered under Section 395 IPC corresponding to G.R. Case No.40 of 2021 pending in the file of learned J.M.F.C., Banarpal on the grounds stated therein.
 4. Perused the FIR and impugned order dated 25.10.2021 as at Annexure-2.
 5. Gone through the contents of the FIR.
 6. Learned counsel for the petitioner submits that in the meantime, charge sheet has been filed and two of the accused persons have been granted bail by this Court in BLAPL Nos.8400 and 8709 of 2021. It is further submitted that from another accused, namely, Subrat Katara, some cash has been recovered and seized by the local police and therefore, considering the above facts, the accused should be enlarged on bail which is objected to by the learned counsel for the State.

7. The occurrence is said to have taken place at the time when informant was proceeding with the collected money for distribution the same but was intercepted by some miscreants who snatched away cash of Rs.59,555/- and other articles from him and fled away. It is brought to the notice of the Court that no T.I. parade has been conducted. Two other accused persons are on bail. The petitioner is in custody from the month of August, 2021.

8. Considering the above fact as to the release of two other accused persons and the fact that the petitioner does not have any criminal antecedent as is claimed by the learned counsel appearing for him, the Court is of the considered view that the accused should be released 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.40,000/-(rupees forty 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

