

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9515 of 2021

Bhojraj Rana

....
Petitioner
Mr.A.K. Sahoo, Advocate

-Versus-

State of Odisha

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

CORAM:
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 Cr.P.C. filed by the petitioner for bail in connection with Titilagarh P.S. Case No.323 of 2021 corresponding to G.R. Case No.402 of 2021 pending in the court of learned S.D.J.M., Titilagarh on the grounds stated therein.
4. Perused the F.I.R. as at Annexure-1, copy of the medical examination report of the victim i.e. Annexure-2 and the impugned order dated 11.10.2021 i.e. Annexure-3.
5. Gone through the contents of the F.I.R.
6. Learned counsel for the petitioner submits that the accused is in judicial custody with an allegation that he assaulted the informant by pressing her neck and the dispute arose when the accused wanted to bring another woman, as the victim is issueless

but then, the injuries received by the informant are simple in nature, such as, a scratch and swelling as is revealed in the medical examination report, considering which, the petitioner should be enlarged on bail with any conditions, which is objected to by the learned counsel for the State.

7. Perused the medical examination report. Admittedly, the victim informant received two injuries only and both are simple in nature. The circumstances leading to the lodging of the F.I.R. stands described therein. It is admitted by learned counsel for the State that since the accused wanted to have another woman as his partner since the informant was issueless, the dispute arose between the parties and thereafter, the F.I.R. was lodged when the victim was physically assaulted but then as earlier mentioned, the injuries are simple in nature.

8. Having regard to the above facts, submissions made and the period of detention of the petitioner and the circumstances under which the alleged occurrence took place, the Court is inclined to release the petitioner on bail with conditions.

9. Accordingly, it is directed that the petitioner be released on bail on furnishing a bail bond of Rs.20,000/- (rupees twenty thousand) with one solvent surety for the like amount to the satisfaction of the learned court below, who shall impose such other conditions, as would be deemed just and proper, in the facts and circumstances of the case.

10. The BLAPL is accordingly disposed of.

11. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par

with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, 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

KC Bisoi

