

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10619 of 2022

Pradip Karuan

....

Petitioner

Mr. M.K. Chand, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with C.T. Case No.191 of 2022, pending in the file of the learned J.M.F.C., Sinapali, arising out of Sinapali P.S. Case No.198 of 2022, for alleged commission of offences under Sections 147/323/325/353/307/294/506/149 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Nuapada, by order dated 15.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. The injury report of Smt. Sanju Kumari Naik, submitted by the learned counsel for the petitioner is taken on record.

7. It is submitted by the learned counsel for the petitioner that the injured has in the meanwhile recovered and is attending to her duties as a Constable.
8. Learned counsel for the State opposes the prayer for bail referring to the background in which the offence is alleged to have been committed.
9. On perusal of the order of rejection, it has come to the fore that the present offence is stated to have been committed due to his previous grudge against the husband of the injured (informant), working as an Additional Tahasildar, Khariar, who had imposed fine of Rs.4,50,000/-(Rupees four lakhs fifty thousand) against the prime accused Hero Bag for illegal sand smuggling.
10. Considering the role ascribed to the present petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.
11. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till submission of final form.
12. It is made clear that this order shall not be cited as a precedent so far the co-accused of Hero Bag is concerned whose application, keeping in view the allegation that he is the master mind in the assault, to settle scores with the wife of the petitioner shall be considered on its merits.
13. Accordingly, the BLAPL stands disposed of.
14. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha