

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9654 of 2021

Jaga @ Janak Beldar

....

Petitioner

Mr. T. Nanda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.N. Das, Additional Standing Counsel

CORAM:

MR. JUSTICE R.K. PATTANAIK

Order
No.

ORDER
11.01.2022

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 Komna P.S. Case No.186 of 2021 corresponding to S.A. Case No.13 of 2021 pending in the file of learned District and Sessions Judge-cum-Special Judge, Nuapada.
4. Perused the FIR i.e. Annexure-1 and impugned order dated 22.10.2021 as at Annexure-2 besides copies of the charge sheet i.e. Annexure-4.
5. Gone through the contents of the FIR.
6. Learned counsel for the petitioner submits that the allegation against the present accused is that he assisted the principal accused and the victim and dropped them at a place and therefore,

have played a limited role so to say, considering which, he should be enlarged on bail with any conditions.

7. Learned counsel for the State fairly concedes the role which has been attributed against the petitioner and as submitted by the learned counsel appearing for him.

8. On perusal of FIR, it made to suggest that the victim was kidnapped by the principal accused who claimed to be a juvenile and as submitted to this Court, he was later released on bail. It is made to understand that the petitioner carried the principal accused and victim in his motor cycle and dropped them at their destination. The investigation is over as a copy of charge sheet i.e. Annexure-4 is filed for the Court's perusal.

9. Considering the above facts, nature of involvement of the petitioner and period of detention and the fact that the charge sheet has already been filed, the Court is of the considered view that the accused should be enlarged on bail with conditions and accordingly, it is ordered.

10. In the result, the petitioner is allowed to go on bail on furnishing a bail bond of Rs.25,000/-(rupees twenty five 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.

11. The BLAPL is disposed of.

12. 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

