

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9800 of 2021

Balaram Pradhan @ Balia

....

Petitioner

Ms. Dipika Sukla, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Mohanty, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

18.01.2022

Order No.

- 01.
1. The matter is taken up through video conferencing mode.
 2. Heard Ms. D. Sukla, learned counsel for the Petitioner and Mr. P.K. Mohanty, learned Additional Standing Counsel.
 3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Balaram Pradhan @ Balia in connection with Aska P.S. Case No.454 of 2021 corresponding to G.R. Case No.840 of 2021 pending in the court of learned J.M.F.C., Aska for alleged commission of offence under Section 395 of the Indian Penal Code.
 4. It is submitted that the Petitioner is inside custody since 24th July, 2021 and in the meantime investigation has been completed. It is further submitted that though this is a case under Section 394 I.P.C. as per allegations, but Police has made out a case under Section 395 of I.P.C. It is further submitted that one of the co-accused, namely Manoj Mallick has been released on bail by the learned Additional Sessions Judge.

5. Mr. Mohanty, learned Additional Standing Counsel submits that this Petitioner has 3 numbers of criminal antecedents and he has been identified in the test identification parade.

6. However, considering the period of detention of the Petitioner inside custody and the circumstances of the case as well as the fact of release of one co-accused on bail, it is directed to release the present Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, the Petitioner shall not be involved in any other offence while on bail and shall appear before the I.I.C. Aska P.S. once in each week till completion of trial.

7. It is made clear that violation of any such conditions fixed by this Court or by the Court below shall entail cancellation of bail and the trial court shall be competent to decide the question of cancellation of bail in the event such occasion arises.

8. The BLAPL is accordingly disposed of.

9. 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, in the manner prescribed vide Court's Notice No.514 dated 7th January, 2022.

(B.P. Routray)
Judge