

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9870 of 2021

Bapu @ Satyaprakash Mohanty

.... ***Petitioner***
Mr.D.Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.K.Nayak, AGA

CORAM:
MR. JUSTICE D.DASH

Order
No.

ORDER
02.08.2022

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. This is the second journey of the petitioner, who is in custody in connection with S.T.F.P.S. Case No.22 of 2021 corresponding to G.R. (Special) Case No.16 of 2011 pending in the court of the learned Sessions Judge, Cuttack running for the alleged commission of offence under sections 275/276/420/467/468/471/120-B, I.P.C. read with section 27 (C) of Drug and Cosmetics Act, 1940 in filing this application under section 439, Cr.P.C. for his release on bail.
 3. Heard learned counsel for the petitioner and learned counsel for the State.

4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioner with other surrounding circumstances including the factum of release of co-accused persons, namely, Siba Prasad Jena, Subhalaxmi Jena and Kusa @ Priti Ranjan Parida on bail by orders passed by this Court on 06.07.2022 in BLAPL No.10985 of 2021, 14.09.2021 in BLAPL No.5542 of 2021 and 28.07.2022 in BLAPL No.10406 of 2021 respectively as also the period of detention of the Petitioner in custody; while being inclined to reconsider the prayer for grant of bail to the Petitioner; it is directed that the petitioner be released on bail in the aforesaid case on the following terms and conditions:-

“(i) he would furnish bail bond of Rs.50,000/- (Rupees fifty thousand) each with two local sureties for the like amount to the satisfaction of the learned court in seisin of the case.;

(ii) he shall appear before the trial court on each and every date and shall cooperate for early conclusion of trial;

(iii) he shall not tamper with the prosecution evidence and shall not make any attempt to influence or threaten the witnesses;

(iv) he shall provide his address as well as his phone number to the concerned Police Station and keep the same updated in the event the same is changed in future;

(v) he shall not leave the jurisdiction of the court without prior permission of the trial court and he shall submit his passport before the local police and if there is no passport, an affidavit to that effect be filed before the I.O.

5. Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents of similar nature. In the event it is found that the Petitioner has any criminal antecedents of similar nature, this order shall automatically stand revoked.

7. The BLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

(D.Dash)
Judge

Basu