

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10011 of 2021

Sanwa Giri & Ors.

...

Petitioners

Mr. J. Sahoo, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

19.01.2022

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 06.10.2021 in connection with Banpur P.S. Case No.350 of 2021 corresponding to G.R. Case No.317 of 2021 of the Court of learned J.M.F.C., Banpur for the alleged commission of offence under Sections 120-B/420/379/34 of IPC.
4. The allegation is that the petitioners, who are ladies belonging to the State of Chhatisgarh, while pretending to polish gold ornaments of unsuspecting persons used to commit theft of the said ornaments by replacing them by duplicate ones. During one such incident, they were caught red handed as the informant suspected them of stealing the ornaments.
5. It is submitted by learned counsel for the petitioners that there is no allegation as such of theft of gold ornaments but the petitioners have been booked in the case only on suspicion.

6. Learned Addl. Standing Counsel on the other hand has opposed the prayer for bail by submitting that the petitioners belong to State of Chhatisgarh and hence if they are released, they may not appear before the trial Court.

7. Having regard to rival submissions, the materials on record, the period of detention already undergone, the nature of the allegations, I am inclined to allow the prayer for bail. Let the petitioners be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that out of two sureties for the bail amount one must be a local surety belonging to Khurda district.

8. 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, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No. 4587, dated 25th March, 2020, modified by Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge

A.K. Rana