

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10243 of 2021

Kanhei @ Gajendra Das

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. G. Rout, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
20.01.2022

Order No.

01.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offence alleged is under Sec.395, I.P.C.
3. Heard Mr. A.R. Panda, learned counsel for the Petitioner as well as Mr. G. Rout, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioner is inside custody since 18.8.2021 and though initially the case was registered under Sections 379/34 I.P.C., but the Police purposefully turned it to Sec.395 I.P.C. It is further submitted that in the meantime investigation has been completed and no material with regard to the offence under Sec.395 I.P.C. has surfaced against the Petitioner.

5. Upon hearing learned A.S.C. for the State-Opposite Party and considering the nature of materials available against the Petitioner, it is directed to release him on bail in connection with Rupsa P.S. Case No.90/2021 corresponding to C.T. Case No.712/2021 on such terms and conditions to be fixed by the learned J.M.F.C. (R), Balasore as he deems just and proper including the condition that the Petitioner shall not be involved in any other offence while on bail and shall appear before the IIC, Rupsa P.S. once in each week for a period of six months from the date of his release.

6. The BLAPL is accordingly disposed of.

7. 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 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge