

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11482 of 2022

Aditya Patra

....

Petitioner

Mr. Bijaya Kumar Ragada, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. Sitikanta Mishra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

19.12.2022

Order No.

- 01.
1. Heard learned counsel for the respective parties.
 2. Instant petition under Section 439 Cr.P.C. is filed by the petitioner for his release on bail in connection with C.T. Case No.2701 of 2022 arising out of Special Task Force, Crime Branch Case No.22 of 2022 pending in the file of learned S.D.J.M., Jharsuguda on the grounds stated therein.
 3. Perused the copy of the FIR as at Annexure-1.
 4. The Special Task Force, Crime Branch P.S. case was registered against the petitioner for the offences under Sections 379, 411, 413 and 120-B IPC and Section 51 of the Wild Life (Protection) Act, 1972.
 5. Mr. Ragada, learned counsel for the petitioner submits that the petitioner is similarly situated like another co-accused, namely, Sumit Kumar Patel for having procured Leopard skins so recovered by the Task Force team during investigation. The said accused has already been released on bail in BLAPL No.11548 of 2022 by this Court's order dated 19th December, 2022 and considering the fact that the investigation is more than 6 months old and virtually over,

the petitioner should be granted the same relief and while claiming so, he refers to the rejection order of the learned Sessions Court as at Annexure-2.

6. Mr. Mishra, learned counsel for the State opposed release of the petitioner on bail since he appears to be the kingpin of the case.

7. Having perused the rejection order as at Annexure-2, the Court finds that during interrogation of the co-accused, he confessed to have collected the leopard skins from the petitioner who further disclosed that he had received it from one Puchha from the forest of Tengnakhoh. However it is not known whether the accused who stated to have killed the leopard has been apprehended or not but having regard to the fact that petitioner stands on the similar footing like co-accused, the Court is of the view that considering the detention of the petitioner and the fact that investigation is most likely to be over by now, he should be enlarged on bail subject to conditions.

8. Accordingly, it is ordered.

9. The BLAPL stands allowed with a direction for release of the petitioner on bail in connection with C.T. Case No.2701 of 2022 corresponding to Special Task Force P.S. Case No.22 of 2022 on furnishing of bail bond of Rs. 40,000/- with one solvent surety for the like amount to the satisfaction of the learned S.D.J.M., Jharsuguda who shall impose such other conditions as deemed just and proper subject to confirmation that he does not have any criminal antecedent of similar nature.

10. Issue urgent certified copy of this order as per rule.

(R.K. Pattanaik)
Judge