IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10455 of 2021

Rajesh Gouda …. ***Petitioner***
Mr. K.S. Behera, *Advocate*

-versus-

State of Odisha …. ***Opp. Party***
Mr. Sk. Zafarulla, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

Order No. **02.02.2022**

01. 1. This matter is taken up through Video Conferencing Mode.

2. Heard learned counsel for the parties. Perused the F.I.R., Case Diary and other relevant documents.

3. This is an application under Section 439 of the Criminal Procedure Code.

4. The Petitioner is an accused in G.R. Case No.190 of 2021 corresponding to Digapahandi P.S. Case No.26 of 2021 pending in the court of learned S.D.J.M., Berhampur for commission of offence punishable under Sections 147/148/323/336/450/302/149/294, I.P.C.

5. It is submitted by learned counsel for the Petitioner that some of the co-accused has already been released on bail by this Court, who is on similar footing with the present Petitioner and the Petitioner is in custody since 08.02.2021.

6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.

7. Having heard learned counsel for the parties and considering the period of detention of the Petitioner, it is directed that let the Petitioner

be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to conditions that the Petitioner shall not get involved in any offence of similar nature while he is on bail, he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever and shall appear in court during trial on each and every date without fail and that he shall appear before the concerned Police Station once in a week preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial. Violation of any of the terms and conditions shall entail cancellation of bail granted hereby. It is open for the court in seisin over the matter to impose any conditions as may deem just and proper.

8. The Bail Application is accordingly allowed.

9. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out 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 Office Order dated 7th January, 2022.

Jagabandhu

(A.K. Mohapatra)
Judge