

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11739 of 2022

Sahadeb Naik

....

Petitioner

Mr. P.K. Satapathy, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
20.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Jaipatna P.S. Case No.282 of 2022 corresponding to C.T. Case No.274 of 2022 pending before the learned J.M.F.C., Jaipatna for alleged commission of offences under sections 307/506/34 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of Additional Sessions Judge, Dharamgarh, which was rejected on 11.10.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 17.09.2022 and the entire accusation against the petitioner is based on

suspicion on the ground that a month prior to the occurrence, the petitioner had given threat to the informant over phone to kill him. He further submitted that nobody has seen the occurrence and there are two injured persons in this case, one Barun Majhi has sustained grievous burn injuries and one Dalimba Majhi has sustained simple injury and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, absence of any direct evidence relating to setting fire of the house in question and taking into account the period of detention of the petitioner in judicial custody, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees twenty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with such other conditions as the learned Court may deem just and proper.

BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge