

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11750 of 2022

1. Chandan Nayak **Petitioner**
2. Tapan @ Pabitra Kumar
Sahoo

Mr. S. Panda, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
23.12.2022

Order No.

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

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

This is an application under section 439 of Cr.P.C. in connection with G.R. Case No.1437 of 2022 arising out of Dhenkanal Sadar P.S. Case No.552 of 2022 pending in the Court of learned S.D.J.M., Dhenkanal for offences punishable under sections 420/407 of the Indian Penal Code.

The prayer for bail of the petitioners was rejected by the learned Additional Sessions Judge -cum- Special Judge (Vigilance), Dhenkanal vide order dated 22.11.2022.

Considering the submission made by the learned counsel

for the petitioners that the petitioners are in judicial custody since 06.11.2022 and investigation has made substantial progress and the offences are triable by Magistrate and the written instruction dated 23.12.2022 received from the Inspector in-charge of Dhenkanal Sadar police station which indicates that the stolen truck as well as the materials have already been recovered to a large extent but till date, some iron Bars are yet to be seized, I am inclined to release the petitioners on bail.

Let the petitioners be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper subject to condition that the petitioner shall appear before the Investigating Officer as and when required and cooperate with the investigation.

Violation of any of the above conditions shall entail cancellation of bail.

Accordingly, the BLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM