

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10647 of 2021

Muna @ Khageswar Purty

.... ***Petitioner***
Mr. B.K. Pardhi, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. K.K. Nayak, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.01.2022

Order No.

01.

1. This matter is taken up through Video Conferencing Mode.
2. Heard Mr. B.K. Pardhi, learned counsel for the Petitioner and Mr. K.K. Nayak, learned counsel for the State. 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.1644 of 2021 corresponding to Keonjhar Sadar P.S. Case No.413 of 2021 pending in the court of learned S.D.J.M., Keonjhar for commission of offence punishable under Sections 143/144/149/186/189/294/506, I.P.C.
5. It is alleged that on 04.10.2021 at about 2.50 P.M., the Petitioner along with others suddenly placed stones on the road in Parking Plaza gate and blocked the road. When the security personnel came, they abused him in obscene language and threatened them to kill in life. Again on 05.10.2021, the Petitioner along with

others came to Jagar parking Plaza Gate and placed stones on the road being armed with lathi, bows and arrows.

6. It is submitted by learned counsel for the Petitioner that the Petitioner has been falsely implicated in the case and he is in custody since 20.10.2021.

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

8. 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.50,000/- (rupees fifty thousand) with two solvent sureties each 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 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. 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.

9. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents. In the event it is found that the Petitioner has any criminal antecedents, this bail order shall automatically stands revoked.

10. The Bail Application is accordingly allowed.

11. 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

