

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10662 of 2021

Muna @ Khageswar Purty

....

Petitioner

Mr.Birendra Ku. Pardhi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Anupam Rath, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

21.01.2022

Order No.

01. 1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the relevant papers.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Keonjhar Sadar P.S. Case No.406 of 2021, corresponding to G.R. Case No.1627 of 2021, pending in the court of learned S.D.J.M., Keonjhar for commission of alleged offence under Sections 341/323/294/506/34 I.P.C. read with Section 4 of Odisha Prevention of Witch Hunting Act.
4. Learned counsel for the Petitioner submits that there is no cogent material discovered against the Petitioner, as such, the Petitioner has been falsely entangled in the matter.
5. Mr.Anupam Rath, learned Additional Standing Counsel for the State has not disputed the fact that the Petitioner is in jail custody since 20.10.2021. He further submits that in the event this Court is

inclined to release the Petitioner on regular bail, stringent conditions may be imposed on the Petitioner.

6. Considering the nature of allegations and the fact that Petitioner is in jail custody since the date of his arrest, i.e. from 20.10.2021 and there is no chance of early conclusion of trial, I am inclined to release the Petitioner on bail in the above case on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to further conditions that he will not tamper with the evidence or threaten or influence the witnesses to the occurrence and he shall cooperate with the trial of the case. Any violation of the conditions would entail cancellation of bail granted by this Court.

7. With the above direction, the BLAPL is accordingly allowed.

8. 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, modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(A.K. Mohapatra)
Judge