

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10674 of 2021

Iswar Mahalik

.... ***Petitioner***
Mr. Avijit Patnaik and
Ms. S. Patnaik, Advocates

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.K. Mohanty,
Additional Standing Counsel 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. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Kuliana Town P.S. Case No.16 of 2020, corresponding to C.T. Case No.226 of 2020, in the file of learned Additional Sessions Judge-cum-Special Judge (Vigilance), Baripada, for commission of alleged offence under Section 379 I.P.C.
3. Heard Ms.S.Patnaik, learned counsel for the Petitioner and Mr.P.K. Mohanty, learned Additional Standing Counsel for State.
4. Learned counsel for the Petitioner submits that Petitioner is in jail custody since 14.06.2021. It is submitted that the Petitioner has been brought on remand in the case and as such he had filed the bail application before the learned S.D.J.M., Baripada, which was rejected vide order dated 22.07.2021.
5. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner. However, he submits if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

6. Having heard learned counsel for the parties and considering the period of detention of the Petitioner, it is directed that the Petitioner be released on bail 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 conditions that the Petitioner shall cooperate with the investigation and shall not threaten the witnesses or tamper with the evidence in any manner, whatsoever.

7. Petitioner is also directed to appear before the local police station on every Sunday at 11.00 A.M. to 1.00 P.M. once he comes out of jail custody. The court in seisin of the matter may impose any additional condition(s), if situation so warrants.

8. With the above direction, the BLAPL 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.

(A.K. Mohapatra)
Judge