

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.10677 of 2021**

***Santosh Kumar Padhi @ Kalia***

....

***Petitioner***

*Mr. S.S.Ray-2, Advocate*

*-versus-*

***State of Orissa***

....

***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 Aska P.S. Case No.742 of 2021, corresponding to G.R. Case No.1415 of 2021, pending in the court of learned J.M.F.C., Aska, for commission of alleged offences under Sections 398 of I.P.C. read with Section 25(1-B) (a) of Arms Act.
3. Heard Mr.S.S. Ray-2, 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 16.11.2021. It is submitted that Petitioner is an innocent person and he has been falsely implicated in the case at the instance of the local police only to harass the Petitioner.
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.50,000/- (Rupees Fifty 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 he shall not threat or influence any witnesses, further he shall not make any endeavor to tamper with the evidence.

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. This Court also directs that the court in seisin of the matter to verify the criminal antecedents of the Petitioner and 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 7<sup>th</sup> January, 2022.

**(A.K. Mohapatra)**  
**Judge**