

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10843 of 2021

Biswa Ranjan Tripathy and another ***Petitioners***
Mr. P.K. Rath, Advocate

-versus-

State of Orissa ***Opp. Party***
Mr. S.R. Roul, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
27.09.2022

Order No.

10. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. In view of report of learned JMFC, Bhubaneswar dated 16/07/2022, the bail application of petitioner Anil kumar Jena has become infructuous and is, accordingly, dismissed and the present bail application is only confined to petitioner-Biswaranjan Tripathy.
3. This is an application U/S. 439 of Cr.P.C. by the petitioner for grant of bail in connection with C.T. Case No. 6186 of 2021 arising out of Chandrasekharpur P.S. Case No.455 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for commission of offences punishable under Section 420/468/471/34 of I.P.C.
4. In the course of hearing of the bail application, learned counsel for the petitioners submits that the petitioner Biswa Ranjan Tripathy was granted interim bail but due to some miscommunication, the said petitioner could not surrender in time and however, on being directed, the petitioner surrendered in the Court in seisin of the case. It is also submitted that co-accused persons have already been released on bail and the petitioner having detained custody for some

time has been sufficiently punished for the default and the petitioner undertakes to abide by any condition for his enlargement on bail. It is also submitted that the charge-sheet in this case has already been submitted and there is hardly any scope for the petitioner to tamper the witnesses. On these submissions, learned counsel for petitioner prays to admit the petitioner to bail.

5. On contrary, learned counsel for the State, however, vehemently opposes the bail application of the petitioner.

6. Considering the nature and gravity of accusations and the fact of submission of charge-sheet in this case and release of co-accused persons on bail and further taking into account the period of detention of the petitioner in custody and other materials on record, this Court considers it proper to admit the petitioner-Biswa Ranjan Tripathy to bail.

7. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

8. Accordingly, the BLAPL stands disposed of.

9. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge