

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12000 of 2022

Burujadu @ Binaya Naik

.... ***Petitioner***
Mr. S.R. Rout, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.R. Roul, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
20.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Hindol P.S. Case No.26 of 2021 corresponding to C.T. (Sessions) Case No. 52 of 2022 pending in the file of learned Assistant Sessions Judge, Hindol for commission of offences punishable U/S 392 IPC r/w 25 Arms Act, on the allegation of committing robbery from the informant.
 3. In the course of hearing of the bail application, Mr. S.R. Rout, learned counsel for the Petitioner submits that FIR has been lodged against the unknown persons, but the Petitioner has been implicated in this case solely on the basis of the confession co-accused and nothing was recovered from the possession of the Petitioner. It is further submitted that co-accused Bana @ Manas Naik and and Bikash @ Bablu have already been granted bail. Learned counsel for the Petitioner under aforesaid submissions prays to grant bail to the Petitioner.
 4. Mr. S.R. Roul, learned A.S.C., vehemently opposes the bail application of the Petitioner.

5. Considering the rival submissions made, taking into consideration the nature and gravity of accusations raised against the Petitioner and keeping in view the other surrounding circumstances including the pre-trial detention of the Petitioner and regard being had to the release of co-accused persons on bail, this Court admits the Petitioner to bail.

6. 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.50,000/- (Rupees Fifty Thousand) 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 the Petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on Sunday in between 10A.M. to 12 Noon for three months from the date of his release from the custody. The I.L.C., of jurisdictional Police Station shall not detain the Petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge