

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10915 of 2021

Binu Patra @ Bina Patra

.... ***Petitioner***
Mr. Udit Ranjan Jena, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.C. Das, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
24.01.2022

Order No.

01. 1. This matter is taken up through Video Conferencing mode.
2. Learned counsel for the Petitioner files a memo in Court today, stating therein that after commitment of the case, the same is now pending before the learned Assistant, Sessions Judge, Nilagiri in S.T. Case No.09/64 of 2021, which is taken on record.
3. Heard learned counsel for both the parties and perused the case records.
4. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Nilgiri P.S. Case No.410 of 2020, corresponding to C.T. Case No.570 of 2020, pending in the court of learned S.D.J.M., Nilgiri, for commission of alleged offences under Sections 458/323/307/506 I.P.C.
5. Learned counsel for the Petitioners submits that he is an innocent person and due to previous enmity, a false case has been lodged against him with some ulterior motive. It is submitted that Petitioner is languishing in jail custody since the date of his arrest, i.e. 15.12.2020.
6. Learned Standing Counsel for the State vehemently objected to the bail of the Petitioners. He further submits that charge-sheet has been

submitted in the meantime. However, he submits if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

7. 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 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.

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