

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10924 of 2021

Pravakar Das

Petitioner

Mr. A.K. Parida, 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. Heard learned counsel for both the parties and perused the records.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Satyabadi P.S. Case No.193 of 2020, corresponding to G.R. Case No.1553 of 2020, pending in the court of learned J.M.F.C., Puri, for commission of alleged offences under Sections 457/380/411 I.P.C.
4. Learned counsel for the Petitioner submits that Petitioner has been falsely implicated in this case at the instance of the statement of one of the co-accused. It is submitted that nothing has been seized nor recovered from the possession of the Petitioner. Since Petitioner is languishing in jail custody for more than 1 and ½ years, his case for grant of bail may be considered.
5. Learned Standing Counsel for the State vehemently objected to the bail of the Petitioner. It is submitted that charge-sheet has been submitted against the Petitioner u/ss.457/380/411/34 I.P.C. 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 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 at an interval of every fifteen days between 11.00 A.M. to 1.00 P.M. on a working day once he comes out of the jail custody. It is further directed 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. This order shall remain valid in the event the court in seisin of the matter is satisfied that Petitioner has no criminal antecedents.

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