

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12026 of 2022

Sarafat Ali

.... ***Petitioner***
Mr. M.K. Chand, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. M. Mishra, ASC

**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 C.T. Case No.151 of 2020 arising out of Kesinga P.S. Case No.155 of 2020 pending in the file of learned J.M.F.C., Kesinga for commission of offences punishable under Sections 419/420/379/34 of IPC, on the allegation of committing theft of one gold chain and, thereby, cheating the informant.
3. In the course of hearing of the bail application, Mr. M.K. Chand, learned counsel for the petitioner submits that all the offences alleged against the petitioner are triable by Magistrate First Class and the petitioner having remanded in custody in this case since the month of October, the petitioner, thereby, may kindly be granted bail.
4. On the contrary, Mr. M. Mishra, learned ASC strongly opposes the bail application of the petitioner.

5. Considering the rival submissions made, taking into consideration the nature and gravity of the accusations raised against the petitioner as also the gravity of offences to be triable by Magistrate First Class and keeping in view the pre trial detention of the petitioner and taking into consideration the other circumstance on record in entirety and regard being had to the punishment prescribed for the offences, 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 bond of Rs.25,000/- (Rupees Twenty Five 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 he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

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