

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12027 of 2022

Dhaneswar Singh @ Dhanua

....

Petitioner

Mr. R.K. Sarangi, Advocate

-versus-

State of Odisha

....

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 G.R. Case No.1466 of 2022 arising out of Lalbag P.S. Case No.278 of 2022 pending in the file of learned S.D.J.M.(S), Cuttack for commission of offences punishable under Sections 379/411/414/34 of IPC, on the allegation of committing theft of Motor Cycle.
 3. In the course of hearing of the bail application, Mr. R.K. Sarangi, learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case only on the basis of confession of the co-accused and the petitioner having detained in custody since 14.11.2022 and no criminal antecedent having reported against him, the petitioner may kindly be granted bail.

4. On the contrary, Mr. M. Mishra, learned ASC vehemently 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 regard being had to the punishment prescribed for the offences alleged against the petitioner and taking into consideration the other circumstance on record in entirety, 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 and that the petitioner shall report attendance before the Jurisdictional Police Station once in a week preferably on Monday in between 12 Noon to 1 PM. for three months. The I.I.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

Subhasmita

