

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10946 of 2021

Prakash Nath & another

....

Petitioners

Mr. Debashis Mitra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

24.01.2022

Order No.

1. This matter is taken up through Video Conferencing mode.
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioners for bail in connection with Madhupatna P.S. Case No. 239 of 2021, corresponding to G.R. Case No. 1384 of 2021, pending in the Court of the learned J.M.F.C. City Cuttack for alleged commission of offence under Section 394 of the Indian Penal Code.
3. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and the fact that the Petitioners are languishing in jail custody since 14.10.2021 and no criminal antecedent against the petitioners as submitted by the learned counsel appearing for the State, I am inclined to release the Petitioners on bail in the above case, on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty thousand) with one solvent surety each for the like amount to the satisfaction of the learned court in seisin over the matter subject to condition that the Petitioners shall not

indulge in such type of offence while on bail and shall appear before the concerned Police Station on every week preferably on Sunday between 10 A.M. and 1 P.M. till conclusion of the trial. Further, it is open to the court in seisin over the matter to impose any additional condition (s), if situation so warrants.

4. The BLAPL is accordingly disposed of.

5. 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, modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

RKS

