

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10975 of 2021

Sumanta @ Mangulu @ Rishi Sahu ***Petitioner***
Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. A.K. Praharaj, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
29.06.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Polasara P.S. Case No.209 of 2021, corresponding to G.R. Case No.336 of 2021, pending in the file of learned J.M.F.C., Polasara, for commission of alleged offences under Sections 147/148/341/294/323/325/307/506/302/149 of I.P.C.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. The brief facts of the case, as per the FIR is that one Gopinath Pradhan lodged an FIR before the IIC, Polosara P.S. alleging therein that on 20.06.2021, the son of the Informant, namely, Babula Pradhan along with others went to Dhanei Dam for feast. It is alleged that when the son of the Informant along with

others enjoying their feast at that time, the Petitioner along with others were/are making merry by way of absurd sound and hullah, for which, they protested the same. It is further alleged that they have assaulted by means of Lathi to the son of the Informant and others. Hence this case.

5. Learned counsel for the Petitioner submits that Petitioner is languishing in jail custody since the date of his arrest, i.e. 21.06.2021. It is further submitted that police after completion of investigation has filed charge-sheet against the Petitioner. The further submission is that Petitioner is an innocent person and he has been falsely implicated in the present case. It is also stated that Petitioner is a law abiding citizen and resides in the district of Ganjam, therefore, there is no chance to evade the trial of the case. The further submission is that the co-accused person, namely, Muna Pradhan and others have been released on bail by order of this Court in BLAPL No.11019 of 2021. Accordingly, he prays for grant of bail.

6. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner on the ground that serious allegation has been made against the Petitioner. Therefore, no leniency should be shown to the Petitioner. Accordingly, he prays for rejection of his bail application.

7. Having regard to the facts and circumstances of the case, considering the nature and gravity of offences alleged and the period of detention of the Petitioner, this Court is inclined to release the Petitioner on bail on furnishing a 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 the terms and conditions as would be deemed fit and proper by the trial court.

8. With the above direction, the BLAPL is accordingly allowed.

9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge



U.K.Sahoo