

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10978 of 2021

Bakishnaba Chhatar and others

.... ***Petitioner***
Mr. S. Dwibedi, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. Sk. Zafarulla, *A.S.C.*

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 the parties. Perused the F.I.R., Case Diary and other relevant documents.
 3. This is an application under Section 439 of the Criminal Procedure Code.
 4. The Petitioner is an accused in G.R. Case No.863 of 2021 corresponding to Lathor P.S. Case No.144 of 2021 pending in the court of learned S.D.J.M., Patnagarh for commission of offence punishable under Sections 304/201/34, I.P.C.
 5. It is alleged in the F.I.R. that the electric alive wire led to protect the village from the wild boar. Unfortunately, the son of the informant was chased by some people led in that direction and came in contact with the live wire as a result of which he died.
 6. It is submitted by learned counsel for the Petitioner that the petitioner is in custody since 24.10.2021.
 7. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.
 8. Having heard learned counsel for the parties and considering the

period of detention of the Petitioner, it is directed that let the Petitioner be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with one local solvent surety for the like amount to satisfaction of the learned court in seisin over the matter subject to conditions that the Petitioner shall not get involved in any offence of similar nature while he is on bail, he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever and shall appear in court during trial on each and every date without fail. Violation of any of the terms and conditions shall entail cancellation of bail granted hereby. It is open for the court in seisin over the matter to impose any conditions as may deem just and proper.

9. The Bail Application is accordingly allowed.

10. 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.

Jagabandhu

(A.K. Mohapatra)
Judge