

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12390 of 2022

***Pratham Sindria @ Ghasi and
another***

Petitioners

Mr. S.S. Ray(2), Advocate

-versus-

State of Orissa

Opposite Party

Mr. P.K. Pattnaik, AGA

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER
21.12.2022**

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 petitioners for grant of bail in connection with G.R. Case No.1462 of 2022 arising out of Town P.S. Case No.324 of 2022 pending in the file of learned S.D.J.M., Sundargarh for commission of offences punishable under Sections 307/34 of IPC, on the allegation of attempting to commit murder of the injured, along with co-accused persons in furtherance of their common intention.
3. In the course of hearing of the bail application, Mr. B. Sahoo, learned counsel appearing on behalf of Mr. S.S. Ray(2) and associates, learned counsel for the petitioners, submits that the petitioners have been falsely implicated in this case and they are inside jail custody since 10.09.2022, but the allegations appearing

against the petitioners are not so serious and, the petitioners therefore, may kindly be granted bail.

4. On the contrary, Mr. P.K. Pattnaik, learned AGA strongly opposes the bail application of the petitioners.

5. Considering the rival submissions made, taking into consideration the nature and gravity of the accusations raised against the petitioners, which are mainly omnibus in nature and keeping in view the other surrounding circumstance including the pre trial detention of the petitioner and regard being had to the main specific allegation of assault on the head of the injured first by a bhujali being directed only against co-accused-Sourav Ghasi @ Pahada, who is not the petitioner in this case and further taking into account the injuries sustained by the injured, which includes some simple injuries and one grievous injury and the injured having already discharged from the hospital and regard being had to the progress of investigation, this Court admits the petitioners to bail.

6. Hence, the prayer for the bail of the petitioners stands allowed and the petitioners are allowed to go on bail on furnishing bail bonds 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 petitioners shall attend the trial Court on each date of posting without fail unless their attendance is dispensed with and that they shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case and that the petitioners shall report attendance before the Jurisdictional Police Station once in a week preferably on Sunday in between 12 Noon to 1 PM. for six(6) months. The I.I.C. of Jurisdictional Police Station shall not detain the petitioners

unnecessarily after recording their 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 petitioners 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

