

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11270 of 2021

Jagan Behera

.... ***Petitioner***
Mr. T.K. Acharya, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.C. Das, A.S.C. for State

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
27.01.2022**

Order No.

01. 1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the records.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Khallikote P.S. Case No.264 of 2019, corresponding to G.R. Case No.630 of 2019 pending in the court of learned J.M.F.C., Khallikote, for commission of alleged offence under Section 392 I.P.C.
4. Learned counsel for the Petitioner submits that Petitioner has been falsely implicated in the case and he is no way connected with the offence alleged by the prosecution. It is further submitted that basing upon the confessional statement of co-accused person, the present Petitioner has been arrested.
5. Learned Standing Counsel for the State vehemently objected to the bail of the Petitioner. It is submitted that charge-sheet has already been submitted wherein the petitioner has been shown as an

absconder. He, however, submits that if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

6. Having heard learned counsel for the parties and considering the period of detention, this Court directs that the Petitioner be released on bail on furnishing 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 conditions that the Petitioner shall cooperate with the investigation and shall not threaten the witnesses or tamper with the evidence in any manner, whatsoever.

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

8. 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.

(A.K. Mohapatra)
Judge