

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.11295 of 2021**

***Goura Tarei***

.... ***Petitioner***  
Mr. S.K. Jena, *Advocate*

***-versus-***

***State of Odisha***

.... ***Opp. Party***  
Mr. K.K. Nayak, *A.S.C.*

**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 the parties.
  3. This is an application under Section 439 of the Criminal Procedure Code.
  4. The Petitioner is an accused in G.R. Case No.1426 of 2021 arising out of Kodala P.S. Case No.559 of 2021 pending in the court of learned J.M.F.C., Khallikote for commission of offence punishable under Section 379, I.P.C.
  5. Learned counsel for the Petitioner submits that the Petitioner has been falsely implicated in this case and he does not have any criminal antecedent involving similar nature of offence. Further he submits that the Petitioner is in custody since 31.10.2021.
  6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.
  7. 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 on furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to conditions that the Petitioner shall not be involved in any offence of similar nature, he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever, further he shall not make any default in attending the court during trial on each date and shall appear before the concerned Police Station once in a week preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M.

8. It is open for the court in seisin over the matter to impose other conditions as may deem just and proper.

9. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents involving offence similar nature. In the event it is found that the Petitioner has any such criminal antecedents, this bail order shall automatically stands revoked.

10. The Bail Application is accordingly disposed of.

11. 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.

