

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11320 of 2021

Rakesh Pradhan @ Gudu Pradhan Petitioners
and others

Mr. J. Sahoo, Advocate

-versus-

State of Odisha Opposite Party
Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
13.07.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners as well as leaned counsel for the State. 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 petitioners are accused in G.R. Case No.336 of 2021 corresponding to Polasara P.S. Case No.209 of 2021 pending in the court of learned J.M.F.C., Polasara for commission of offence punishable under Sections 147/148/341/294/323/325/307/506/ 302/149, I.P.C.
5. 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..

6. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in this case and is in custody since 21.06.2021. Further, he submits that the on similar footing with the present petitioners, other co-accused persons have already been released on bail by this Court in BLAPL No.10975 of 2021 by order dated 31.05.2022, BLAPL No.11104 of 2021 by order dated 17.03.2022. 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. Accordingly, he prays for grant of bail.

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

8. Having heard learned counsel for the parties and considering the period of detention of the petitioners, it is directed that let the petitioners be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) each with two local solvent sureties for the like amount to satisfaction of the learned court in seisin over the matter subject to the terms and condition as would be deemed fit and proper by the trial court.

09. The Bail Application is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge