

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11360 of 2021

Sanjay Induar @ Sanjay Indwar ***Petitioner***

Mr.S.Harichandan,*Advocate*

-versus-

State of Odisha ***Opposite Party***
Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.01.2022

Order No.

1. This matter is taken up through Video Conferencing mode.
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Talasara P.S.Case No.120 of 2021, corresponding to G.R.Case No.101 of 2021, pending in the Court of the learned District Judge-cum-Presiding Officer, Special Court (POCSO), Sundargarh for alleged commission of offences under Sections 452,354,354-A(2),354-B of the Indian Penal Code and Section 8/18 of POCSO Act.
3. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and on consideration of the peculiar facts and circumstances of the case and considering the fact that the petitioner is languishing in jail custody since 19.07.2021, I am inclined to release the Petitioner on bail in the above case, 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 indulge in such type of offence, shall appear before the concerned Police Station in every week preferably on Sunday between 10 A.M. and 1 P.M. till conclusion of the trial, shall not tamper with the evidence or threaten the prosecution witnesses while on bail. Further, it is open to the court in seisin over the matter to impose any additional condition (s), if situation so warrants. Violation of any of the conditions imposed shall entail cancellation of bail.

4. 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. In the event it is found that the Petitioner has any criminal antecedents, this bail order shall automatically stand revoked.

5. The BLAPL is accordingly disposed of.

6. 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, modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

RKS

(**A.K. Mohapatra**)
Judge