

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11367 of 2021

Dayanidhi Patra and others ***Petitioners***
Mr. Dipti Ranjan Swain,
Advocate

-Versus -

State of Odisha ***Opposite Party***
Mr. S.N. Das,
Addl. Standing Counsel

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
20.01.2022

Order No.
01.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 14.12.2021 in connection with Singla P.S. Case No. 131 of 2020 corresponding to C.T. Case No. 879 of 2020 pending in the court of learned J.M.F.C., Basta for the alleged commission of offence under Sections 341/323/427/436/506/34 of IPC.
4. It appears that the present petitioner no. 3's wife, namely, Sakuntala Patra lodged an FIR before Singla P.S. on 18.08.2020 at about 5.56 P.M., which was registered as P.S. Case No. 130 under Section 427/436/34 of IPC. Making almost similar allegations, one Sumitra Patra lodged an FIR on the same day at the same Police Station at 6.12 P.M. which was registered as P.S. Case No. 131 under Sections 341/323/427/436/506/34 of IPC. It is submitted that the submission that the second FIR was lodged as a counterblast to

the 1st FIR lodged by the wife of the petitioner no.3.

5. Having regard to the submission as above and that there are ample materials before the Court to show that the second FIR was lodged as a counterblast to the first FIR, I am inclined to allow the prayer for bail also looking into the period of detention already undergone. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout 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 Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge