

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.530 of 2021

Aman Kumar

....

Petitioner

Mr. Manoj Kumar Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Nayak, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

17.03.2022

Order No.

04

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
3. The present revision application has been filed by the Petitioner challenging the order dated 23.11.2021 passed by the learned Additional District & Sessions Judge-cum-Special Judge, Children Court, Bhawanipatna, Kalahandi in Criminal Appeal No.5 of 2021, thereby confirming the order dated 18.09.2021 of the Principal Magistrate, Juvenile Justice Board, Kalahandi in JCT No.57 of 2021, thereby rejecting the bail application of the Petitioner.
4. Learned counsel for the Petitioner submits Petitioner is languishing in jail custody since the date of his arrest, i.e. 17.09.2021. It is submitted that after completion of investigation, police has filed charge-sheet. It is further submitted by learned

counsel for the Petitioner that the other co-accused persons similarly situated have already been released on bail. Since the Petitioner is no way connected in the case and he has no criminal antecedents, he may be released on bail on such terms and conditions as deem fit and proper.

5. Learned counsel for the State on the other hand submits that responsibility may be fixed on the parents of the Petitioner and they should ensure that Petitioner does not involve in any other criminal activities. On such assurance and on such terms and conditions as fixed by this Court, the Petitioner may be released on bail.

6. Considering the facts and circumstances of the present case as well as the period of detention and the fact that the co-accused have already released on bail, the Court is inclined release the Petitioner/CCL subject to the Parent's of the Petitioner/CCL furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety for the like amount, if desirable, one of the Parent will come forward and stand as surety to the satisfaction of the learned court in seisin of the matter.

7. Learned court below is further directed to fix the terms and conditions keeping in view the welfare of the Petitioner/CCL. The Parents of the Petitioner/CCL shall also undertake that the Petitioner does not get involved in any criminal activities. The Probation Officer is directed to visit the CCL and report to the court in seisin over the matter once in every month. Accordingly, the impugned order dated 23.11.2021 passed by the learned Additional District & Sessions Judge-cum-Special Judge, Children Court, Bhawanipatna, Kalahandi in Criminal Appeal No.5 of 2021 is set aside.

8. CRLREV is accordingly allowed.
9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge

U.K.Sahoo

