

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12627 of 2022

Simanchal Sahoo* *Petitioner

Mr. Biswajit Nayak, Advocate

-versus-

State of Odisha* *Opp. Party

Mr.P.K. Mohanty
Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
23.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Purighat P.S. Case No. 246 of 2022 corresponding to G.R. Case No. 1310 of 2022 pending in the file of learned S.D.J.M., Cuttack for alleged commission of offences under sections 294/420/506/34 of the Indian Penal Code.

The prayer for bail of the petitioner was rejected by the learned 1st Addl. Sessions Judge, Cuttack vide order dated 01.12.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 22.11.2022, the offences are triable by Magistrate and the son of the petitioner, namely, Sagar Sahoo has been granted bail by this Court in BLAPL No.12158 of 2022 as per order dated 21.12.2022 with the conditions inter alia that he has to deposit Rs.4,21,509/- (rupees four lakhs twenty one thousand five hundred nine), which is the cheque amount involved in the case. Learned counsel further submitted that since the said amount is going to be secured, the bail application of the petitioner may be favourably considered.

Learned counsel for the State has no serious objection for grant of bail provided that the co-accused Sagar Sahoo deposits the aforesaid amount as a pre-condition for grant of bail.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner, release of the co-accused on bail, and taking into account the period of detention of the petitioner in judicial custody, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as

the learned Court below may deem just and proper including the condition that this bail order shall be effective if the co-accused Sagar Sahoo deposits the amount in question, which was directed to be deposited as per the aforesaid order passed in BLAPL No. 12158 of 2022.

Violation of any of the conditions shall entail cancellation of bail.

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.



PKSahoo