

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11484 of 2021

Kureshu Gouda

.... ***Petitioner***
M/s. A. Das, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
M/s. S.N.Das, A.S.C.

CORAM:

JUSTICE G. SATAPATHY

ORDER

29.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Nuagaon P.S. Case No.170 of 2021 corresponding to G.R. Case No.285 of 2021 pending in the Court of learned J.M.F.C., Digapahandi for commission of offence punishable U/Ss. 498-A/494/302/201 of I.P.C.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner has been implicated in this case solely on the basis of his confession and he having detained in custody since 09.09.2021 and charge-sheet having already been submitted, may kindly be released on bail.
 4. On contrary, learned counsel for the State, however, strongly opposes the bail application of the petitioner.
 5. Considering the nature and gravity of allegations and keeping in view the period of detention of the petitioner since 09.09.2021 and the basis of implication and there being no eye witness to the occurrence and investigating agency having not collected any material to indicate that the petitioner would abscond or tamper with the evidence and taking into consideration the nature, character and strength of supporting materials and the manner of commission alleged crime of offence, this Court feels it

proper to enlarge the petitioner on bail.

6. Hence, the prayer for bail of the petitioner is allowed and the Petitioner be released on bail on furnishing bail bond of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not leave the jurisdiction of the learned trial Court without prior permission and the petitioner shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with by the learned trial Court.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(*G. Satapathy*)
Judge

Kishore

