

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11633 of 2021

Sumit Suna

.... ***Petitioner***
Mr. U.R. Jena, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.N. Das, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
25.08.2022

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 Khaparakhhol P.S. Case No.152 of 2021 corresponding to G.R. Case No. 827 of 2021 pending in the Court of learned S.D.J.M., Patnagarh for commission of offences punishable under Sections 395/120(B) of I.P.C.
 3. In course of hearing of the bail application, learned counsel for the petitioner submits that no offences under Sections 395/120(B) of I.P.C. are made out against the petitioner and the petitioner having no criminal antecedent and detained in custody since more than 10 months, may kindly be enlarged on bail.
 4. Learned counsel for the State, while opposing the bail application of the petitioner, however, candidly submits that no criminal antecedent is available against the petitioner, Sumit Suna, but he, however, refuses to concede the submission advanced on

behalf of the petitioner and further submits that the petitioner having identified in T.I. parade, his bail application should be rejected.

5. On coming back to the materials placed on record, there appears little dispute about custody of the petitioner since 30.10.2021 and no criminal antecedent against him. Now, the charge-sheet has already been submitted in this case waiting for commitment of this case.

6. Considering the nature and gravity of accusations coupled with facts narrated above and regard being had to the pre trial detention of the petitioner as well as nature, character and strength of the evidence and the circumstances and manner of the commission of the crime and the submissions advanced on behalf of the petitioner as well as the factum of release of co-accused persons on bail, this Court considers the bail application of the petitioner favourably and the petitioner is directed to go on bail on furnishing bail bonds of Rs.25,000/- with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further condition that the petitioner shall attend the trial Court on each date of trial without fail unless permitted and shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge