IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9766 of 2024

Bishal Bagh @ Bag .... Petitioner

Mr. P.K. Nanda, Advocate

-Versus-

State of Odisha .... Opposite Party

Mr. P.K. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
06.12.2024

Order No.

02. 1. Heard Mr. Nanda, learned counsel for the petitioner and Mr. Mohanty, learned ASC for the State.

2. Instant petition under Section 439 Cr.P.C is filed for release of the petitioner on bail in connection with C.T. Case No.418 of 2024 pending in the file of learned J.M.F.C. (Cog.), Jharsuguda corresponding to Brajarajnagar P.S. Case No.105 of 2024 on the grounds stated therein.

3. Mr. Nanda, learned counsel for the petitioner submits that the accused, who assaulted the injured, is already on bail by the order of the learned Court below as at Annexure-5. It is submitted that chargesheet is already filed, a copy of which is at Annexure-4 and the petitioner is in custody from the date of his arrest and hence, he should be allowed to go on bail.

4. Mr. Mohanty, learned ASC for the State, on the other hand, opposed the release of the petitioner.

5. Perused the FIR as at Annexure-1. As per injury report, this Court finds that the injuries are stitched wounds on the face of the

injured and no opinion has been expressed as to whether the injuries are grievous or not. The chargesheet filed in the month of September, 2024. From Annexure-5, this Court finds that the co-accused, namely, Chandan Singh, who said to have assaulted has been released on bail. Recording the objection of learned ASC for the State and the fact that the investigation is closed and chargesheet is filed in the meantime, this Court is of the view that the petitioner, who is in custody since 26th August, 2024, should be released on bail subject to following conditions.

6. Hence, it is ordered.

7. In the result, petition under Section 439 Cr.P.C. stands allowed. Consequently, the petitioner is directed to be released on bail in connection with C.T. Case No.418 of 2024 corresponding to Brajarajnagar P.S. Case No.105 of 2024 subject to him furnishing a bail bond of Rs.30,000/-(Rupees thirty thousand) with one solvent surety for the like amount to the satisfaction of learned J.M.F.C. (Cog.), Jharsuguda, who shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall not pick up any quarrel with the injured and influence any other material witnesses in any manner, whatsoever, while on bail.

8. BLAPL stands disposed of.

9. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok

Signature Not Verified
Digitally Signed
Signed by: ALOK RANJAN SETHY
Designation: Asst. Registrar-Cum-Senior Secretary
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 07-Dec-2024 17:33:37