IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11715 of 2024

Soubhagya Ranjan Sundaray Raja … ***Petitioner***

Mr. G. Mohanty, Advocate

-versus-

State of Odisha … ***Opposite Party***

Mr. B.P. Nayak, AGA
Mr. B.B. Rout, Advocate (Informant)

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
06.12.2024

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Bharatpur PS Case No.641 of 2024 corresponding to CT Case No.1715 of 2024 pending in the file of learned JMFC-V, Khurda, Bhubaneswar, for commission of offences punishable under Sections 126(2)/ 115(2)/ 118(1)/ 109(1)/ 3(5) of BNS, on the allegation of assaulting the son of the informant and causing injury to him.

3. Heard, Mr. Gourav Mohanty, learned counsel for the petitioner, Mr. Bibhuti Bhusan Rout, learned counsel for the informant and Mr. B.P. Nayak, learned AGA in the present matter and perused the record.

4. After having considered the rival submissions and taking into consideration the nature and gravity of

the offences as alleged against the petitioner vis-à-vis the accusations sought to be brought against him and regard being had to the materials placed on record keeping in view the release of co-accused Biswas Nayak @ Biswasha Bhusan Nayak on bail in obedience to the order passed by this Court in ABLAPL No.11334 of 2024, so also co-accused Nihar Jena in BLAPL No.11571 of 2024 and taking into account the nature of injuries of the injured, this Court without expressing any opinion on merits of the case admits the petitioner to bail, notwithstanding to the serious objection as raised by the learned counsel for the informant.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) only with one solvent surety 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 by it with following conditions:-

> *(i) the petitioner shall not commit any offence while on bail,*
>
> *(ii) the petitioner in the course of trial shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with.* ***In case the Petitioner fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for offence U/S.229-A of IPC in accordance with law,***

(iii) the petitioner shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case by giving his present address of stay and

(iv) the petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on 2nd Sunday of each month in between 10 A.M. to 12 Noon for three(03) months from the actual date of his release from the custody.

The I.I.C. of Jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out. In the wake of aforesaid, the subsequent involvement of the petitioner in future for similar/grave offences on prima facie accusations may be treated as a ground for cancellation of bail in this case.

6. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge

Signature Not Verified
Digitally Signed
Signed by: SUBHASMITA DAS
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 07-Dec-2024 14:48:28