IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12071 of 2024

Shahjad @ Shahajad Mallik ..... ***Petitioners***

Mr. Puspamitra Mohapatra, Adv.

-Versus-

State of Odisha ..... ***Opposite Party***

Ms. Gayatri Patra, ASC

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER
06.12.2024

Order No.

01.

F.I.R No.	Dated	Police Station	Case No. and Courts' Name	Sections
467	9.10.2024	Bhuban	G.R. Case No.457 of 2024 pending in the Court of learned J.M.F.C., Bhuban	U/s. 303(2) of the BNS, 2023.

1. This matter is taken up through a hybrid arrangement.

2. The petitioner, who is in custody in connection with Bhuban P.S. Case No. 467 of 2024, corresponding to G.R. Case No. 457 of 2024, pending before the learned J.M.F.C., Bhuban, and registered for the alleged commission of

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offence under Sections 303(2) of the BNS, 2023, has filed this petition seeking release on bail.

3. The brief fact of the case is that on the basis of a written report lodged by one Sudarshan Acharya working as Estate Manager in Pratap Technocrafts Private Limited, a Partner of Indus Tower Limited alleging that on 26.08.2024 at about 1.30 P.M. some unknown persons have stolen three numbers of R.R.U. (Remote Radio Unit) installed at the top of the Tower. The value of the said property is approximately two lakhs. Based on the said report, Bhuban P.S. Case No.467 of 2024 was registered for commission of offence under Section 303(2) of BNS.

4. Learned counsel for the petitioner submits that the Petitioner has been falsely implicated in this case. He further submits that the Petitioner has no way connected with the alleged offence. He further submits that the petitioner is in custody since 04.11.2024. Hence, he submits that the Petitioner may be granted bail.

5. Learned counsel for the State vehemently opposes the prayer for bail, citing the seriousness of the offences.

6. Considering the nature and gravity of the accusation, character of evidence appearing against the Petitioner, the stringent punishment provided and that there are reasonable grounds for believing that the Petitioner is not

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guilty of the offence alleged or not likely to commit any such offence, which is not possible to record in this case, the prayer for bail is devoid of merit. Hence, his prayer for bail stands rejected. However, the Petitioner is at liberty to renew his prayer after filing of the charge sheet.

7. The BLAPL is accordingly, dismissed.

(Dr. S.K. Panigrahi)
Judge

Murmu

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