

B.A 293 of 2021

04/ 18.11.2021:

The record is put up today for hearing of the bail application filed by petitioner namely Muna @ Khageswar Purty wherein he challenged the order dtd. 21.10.2021 passed by learned SDJM, Keonjhar whereby his application for bail has been rejected in Sadar P.S. Case No.405 of 2021, under Sections 341/ 323/ 294/ 379/ 307/34 IPC corresponding to G.R. Case No. 1626 of 2021. The learned counsel for the State as well as learned defence counsel are present.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is stated that the petitioner is a law abiding person living with his family within the jurisdiction of this Court and he is ready to abide by any terms and conditions imposed them by this Court if they may be released on bail.

On the contrary, the learned counsel for the State objected the bail on the ground that there is a strong *prima facie* case made out against the petitioner. He also submitted that there is criminal antecedent against the petitioner and prayed for rejection of the bail application instantaneously.

Heard the learned counsel for the respective parties and perused the case record. It reveals from the FIR that on 02.10.2020, the informant Srikanta Palei along with others were coming to Mahadeijoda for their personal work. On the way at village Salarapentha suddenly 30 to 40 persons abused them in filthy language and threatened them for dire consequences. They have snatched away Rs.500/- from his pocket and also assaulted them by means of lathi, kicks, slaps and fist blows as a result the informant sustained injuries. At that time, the present petitioner and one Nityananda Dehury reached there and abused them in filthy languages and threatened them for dire consequences.

The statements of the witnesses recorded under Section

161 Cr.PC corroborates the FIR story. It further reveals that the present petitioner is arrested in Sadar PS case No.403 dated 01.10.2021, under Sections 342/ 448/ 323/ 294/ 354/ 506/34 IPC and he has remanded in this case. During interrogation he confessed his guilt to have committed the alleged offences. Thus, a strong *prima facie* case is well made out against the petitioner. Admittedly, investigation of the case is in progress.

Having regard to the facts and circumstances of the case and considering the submissions of both sides so also as there is criminal antecedent against the petitioner, this Court is not inclined to release the petitioner on bail. Hence, his bail application stands rejected.

The bail application is disposed of accordingly.

Send back LCR along with copy of the above order to the lower Court.

Supplied free copy of this order to the petitioner or his counsel if applied for.

Dictated

**Sessions Judge,
Keonjhar.**

