

Khirod @ Rohan Jagat, aged about 22 years,
S/o: Binod Jagat, R/o: Biharipada, Durgamandir Chowk,
P.S.: Hirakud , Dist.: Sambalpur. ...Petitioner
Vrs.
State of Odisha ...Opp. Party
Order No.02, dated 27.10.2022

The instant bail application bears certificate to the effect that no such bail application u/Ss.439 Cr.P.C. in connection with this case of the petitioner's has either been disposed of by or pending in any other Court of law including the Hon'ble High Court of Orissa except the instant bail application. Further, a memo to that effect has also been filed on behalf of the petitioner today.

Heard the learned Counsel for the petitioner as well as learned Addl. Public Prosecutor appearing on behalf of the State on the application to enlarge the petitioner namely **Khirod @ Rohan Jagat** on bail.

The learned counsel for the petitioner while pleading innocence and false implication of the petitioner in the alleged occurrence, has submitted that out of grudge, the informant has arraigned this petitioner in the instant case as an accused by levelling some vague and concocted allegation. It has further been submitted that not only the petitioner is languishing in custody since 11.09.2022 but also the charge-sheet of this case has been submitted. Accordingly, the learned counsel for the petitioner has urged to enlarge the petitioner on bail.

The learned Addl. Public Prosecutor has vehemently objected the instant bail application on the ground of serious nature of such offence.

On the written report of one Kasturi Sahis, Hirakud P.S. case No.219/2022, u/Ss.341/324/307/294/506 of the Indian Penal Code, corresponding to G.R. Case No.3670/2022, of the file of S.D.J.M., Sambalpur has been registered against this petitioner.

The LCR reveals that the petitioner has been in jail custody in connection with this case since 11.09.2022. I am of the view that within this period of her detention behind the bar, the petitioner must have felt

the rigour of law. It appears from the injury report that the injuries sustained by the injured are simple in nature. The charge-sheet in this case has already been submitted, hence, the question of tampering with prosecution evidence does not arise anymore. Besides, the petitioner being the permanent resident under Hirakud P.S., there is remote chance of his absconding in case of his enlargement on bail.

Regard being had to the submissions of both the counsels and considering the facts and circumstances of the case, the application for bail is allowed.

Let the petitioner namely **Khirod @ Rohan Jagat** be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with one solvent surety for the like amount to the satisfaction of learned S.D.J.M., Sambalpur with condition that (i) he shall not commit similar offences, while on bail (ii) he shall not threaten the prosecution witnesses in any manner and (iii) he shall appear before the Court in seisin over the matter on each date of posting of the case.

Violation of any conditions shall entail cancellation of bail.

Send back the LCR along with the copy of this order to the concerned Court forthwith.

Dictated and corrected by me.

Sd/- Sri M.R.Barik
Sessions Judge,
Sambalpur.