

**Ashok Jayapuria, aged about 52 years,
S/o:Late Haladhar Jayapuria, R/o: Padiabahal,
P.S.: Sadar, Dist.: Sambalpur.**

...Petitioner

Vrs.

State of Odisha

...Opp. Party

Order No.02, dated 17.10.2022

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 petitioners today.

Heard the learned Counsel for the petitioner as well as learned Public Prosecutor appearing on behalf of the State on the application to enlarge the petitioner namely **Ashok Jayapuria** on bail.

The learned counsel for the petitioner while pleading innocence as well as false implication of the petitioner in the alleged occurrence has submitted that due to previous enmity, the informant has arraigned this petitioner along with his family members as accused persons in the instant case by levelling some vague and concocted allegations. It has further been submitted that not only the co-accused persons standing in the similar footing have already been released on bail, but also the charge sheet in this case has been submitted. Accordingly, the learned counsel for the petitioner has urged to enlarge the petitioner on bail.

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

On the written report of the informant Jugal Kishore Bag, Sadar P.S. Case No.107/2022, u/Ss.307/324/294/34 of the Indian Penal Code, corresponding to G.R. Case No.1742 of 2022, of the file of S.D.J.M., Sambalpur has been registered against this petitioner and three others.

The LCR reveals that this petitioner has been in jail custody since 18.09.2022 in connection with this case. I am of the view that within this period of his detention behind the bar, the petitioner must have felt the

rigour of law. The charge-sheet in this case has been submitted, hence, the question of tampering with prosecution evidence does not arise anymore. Some of the co-accused persons standing on similar footing as that of this petitioner, have already been released on bail in the instant case. More so, the petitioner being permanent resident under Sadar 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 learned counsels and considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed.

Let the petitioner namely **Ashok Jayapuria** be released on bail on furnishing bail bond 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 conditions that (i) he shall not commit similar offences, while on bail (ii) he shall not tamper with the prosecution witnesses in any manner and (iii) he shall appear before the Court in seisen 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.