



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2064 of 2025

Laxmidhar Sundaray

....

Petitioner

Mr. S.K.Bhanjadeo, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. R. Pradhan, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

26.03.2025

Order No.

01.

1. Heard learned counsel for the petitioner and learned ASC for the State.

2. Instant petition is filed for release of the petitioner on bail in connection with OR Case no 11K of 2024-25 corresponding to 2(b)CC Case No. 02 of 2025 pending in the file of learned SDJM, Khurda on the grounds stated therein.

3. Mr. Bhanjadeo, learned counsel for the petitioner submits that the investigation is underway. It is further submitted that the land which was fenced does not belong to the petitioner, who is, however, responsible for the electrocution, as a result of which, a female elephant died and he is in custody from 25th January, 2025. With such submission and in view of the negligence on the part of the petitioner, Mr. Bhanjadeo, learned counsel submits that he should be allowed to go on bail with any conditions. An objection is received from Mr. Pradhan, learned ASC for the State against release of the petitioner pending investigation. The Court finds that the land was surrounded by a fence and it was electrocuted to prevent damage to



the crop field. On account of such fencing of electric wire, a female elephant died which is an animal listed in 'rare threatened category' but having regard to the fact that the petitioner has remained in custody ever since arrested and the Court, under the impression that substantial part of investigation to be over by now and he being a local resident though found to be seriously negligent should be allowed to go on bail with stringent conditions.

4. Accordingly, it is ordered.

5. In the result, the petition stands allowed. As a necessary corollary, the petitioner is directed to be released on bail in connection with OR Case no 11K of 2024-25 corresponding to 2(b)CC Case No. 02 of 2025 subject to him furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned SDJM, Khurda, who shall be at liberty to impose such other conditions.

6. The BLAPL stands disposed of.

7. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

kabita

Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC,Cuttack
Date: 27-Mar-2025 13:05:21

