

02. 29.07.2020 Heard Mr. Deepak R. Parida, learned counsel for the petitioner and Mr.L Samantaray, learned Additional Government Advocate by Video Conferencing mode.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner – Bapi Sethi @ Bapindra Sethy in connection with Angul P.S. Case No. 292 of 2020 corresponding to G.R. Case No. 439 of 2020 pending in the Court of learned S.D.J.M., Angul registered for commission of offence punishable under Section 341,323,294,332,307,353,506/34 I.P.C.

The petitioner had moved an application for bail before the Court of learned Sessions Judge, Angul which was rejected on 28.05.2020.

Learned counsel for the petitioner states that the petitioner is in judicial custody since 15.05.2020 and co-accused person namely Bigul Sethy has been released on bail by the Court below and co-accused persons namely Basanta Sethy and Saroj Sethy have been released on bail by this Hon'ble Court in BLAPL No.2658 of 2020 vide order dated 12.06.2020. He further submits that the allegation against the petitioner is that when the police team came to arrest the petitioner, he and his family members obstructed and attacked the police and the petitioner bit the forearm of one of the policemen and escaped but the injury sustained by the policeman is simple in nature, so a case under Section – 307 I.P.C is not made out against him and the other offences are

triable by a Magistrate.

Learned Counsel for the State does not dispute the above contentions but states that the petitioner should not be released on bail as he has assaulted the police who had come to arrest him .

After having heard the submissions of the learned counsel for the petitioner and the learned State Counsel and keeping in mind, the nature of allegations, period of detention of the petitioner and that some of the co-accused persons have been released on bail , it is directed that the petitioner be released on bail on such terms and conditions as may be fixed by the learned Court below in seisin of the matter including the conditions that he will not indulge in any criminal activity after being released on bail and will appear in the Angul Police Station , once every Friday between 4 pm to 5 pm for a period of three months . Violation of any of the conditions will entail in cancellation of bail.

The BLAPL is accordingly disposed of.

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Savitri Ratho, J.

Sukanta