



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5355 of 2025

Pranakrushna Panda

.....

Petitioner

Represented By Adv. -
Mahes Das

-versus-

State Of Odisha

.....

Opposite Parties

Represented By Adv. -
Mr. U.C. Jena, ASC

CORAM:
THE HON'BLE MR. JUSTICE ANANDA CHANDRA
BEHERA

ORDER
30.05.2025

Order No.

01. 1. This matter is taken up through hybrid mode.
2. This bail application under Section 439 of the Cr.P.C., 1973 arising out of S.T. Case No.45 of 2025 in connection with Daringbadi P.S. Case No.50 of 2015 pending in the Court of learned Addl. District & Sessions Judge, Balliguda.
3. The petitioner has been charge-sheeted under Sections 294,323,498(A),307 & 313 read with Section 34 of the IPC, 1860 and Section 4 of the D.P. Act on dated 04.09.2015.
- In the charge sheet submitted by the I.O, it has been reflected by the I.O that, the petitioner is not arrested, which presupposes that, the petitioner had cooperated investigation, for which, the I.O had not chosen to arrest him (petitioner).
4. I have already heard from the learned Counsel for the petitioner and the learned ASC for the State.



5. The law has already been clarified by the Apex Court in a case between *Aman preet Singh vs. C.B.I through Director* that, *when any accused cooperate investigation without being arrested by the I.O, he shall not be disallowed for bail.*

6. Therefore, by applying such principles of law enunciated by the Apex Court in the ratio of the above decision, I find no justification to disallow the prayer for bail of the petitioner.

7. Hence, the bail application filed by the petitioner is allowed.

8. He (petitioner) is allowed to go on bail on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two solvent sureties each for the like amount to the satisfaction of the court in seisin over the matter with conditions that:-

(i) *he (petitioner) shall not involve with similar nature of crime in future;*

(ii) *he (petitioner) shall appear before the Trial Court personally on each date of adjournment of the case without fail till the conclusion of the trial;*

(iii) *he (petitioner) shall not terrorize, coerce, influence or threat to the witnesses of the prosecution & informant and his/her family members either directly or indirectly in any manner whatsoever during trial of the case.*

But, in case of his failure to comply any of the aforesaid conditions, the learned trial court in seisin over the matter is authorized to cancel his bail order outrightly without seeking any permission for the same from this Court.



9. Accordingly, the bail application of the petitioner is disposed of finally.

10. Grant urgent certified copy of this order to the petitioner on proper application.

(ANANDA CHANDRA BEHERA)
Vacation Judge

Rati Ranjan