



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5847 of 2024

Prasanta Kumar Jagdev

....

Petitioner

Mr. P. Acharya, Sr. Advocate

-versus-

State of Odisha

....

Opp. Party

Addl. Standing Counsel

**CORAM:
JUSTICE SASHIKANTA MISHRA**

Order No.

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**ORDER
12.06.2024**

1. This matter is taken up through hybrid mode.
2. Heard Mr. Pitambar Acharya, learned senior counsel for the petitioner and Mr. P.P. Das, leaned Additional Standing Counsel for the State.
3. The petitioner is in custody since 25.05.2024 in connection with Bolagarh P.S. Case No.117 of 2024 corresponding to G.R. Case No. 391/2024 pending in the Court of learned J.M.F.C., Khurda for commission of the alleged offences u/s 452/448/294/354/323/332/427/171-C/506/353/34 of IPC, 1860 r/w Section 132/136/131/135 of Representation of the People Act, 1951 and Section 3 of the Prevention of Damage to Public Property Act, 1984.
4. As per the F.I.R. lodged by the Presiding Officer of the Polling Station of Begunia in district of Khurda, while the polling was going on, the petitioner forcibly entered into the Polling Booth with some of his supporters and misbehaved with the Polling Officials and a female voter.



5. Mr. Pitambar Acharya, learned senior counsel for the petitioner submits that the allegations are politically motivated and in any case, are non-specific in nature.
6. Mr. P. Tripathy, learned State counsel opposes the prayer for bail of the petitioner by submitting that the petitioner being a voter of that booth forcibly entered into the Polling Booth and caused disturbances therein, while the polling was in progress.
7. After going through the F.I.R., this Court finds that the allegations are omnibus in nature inasmuch as what exactly the petitioner did has not been specified save and except stating in general terms that he misbehaved with the Polling Officer and a female voter. Moreover, the identity of said female voter has also not been stated.
8. Taking into consideration the nature of allegations as also the above facts, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as deemed just and proper by the Court below.
9. The bail application is disposed of accordingly.
10. Urgent certified copy of the bail application be granted on proper application in course of the day.

(Sashikanta Mishra)
Vacation Judge