

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 577 of 2022

Jaga @ Jagannath Swain

.... **Petitioner**
Mr. D. Routray, Advocate

- Versus -

State of Odisha

.... **Opposite Party**
Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
29.03.2022

Order No.

5.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 03.06.2021 in connection with Markatnagar P.S. Case No.37 of 2021 corresponding to G.R. Case No.138 of 2021 pending in the Court of learned S.D.J.M., Cuttack for the alleged commission of offence under Sections 392/34 of IPC.
4. It is alleged that the petitioner along with some other persons snatched away the gold chain from the informant. As it appears, the petitioner's prayer for bail was rejected by the Court below merely on the ground that he has several cases of similar nature against his name. Being directed by this Court, the wife of the petitioner has filed a comprehensive affidavit stating the details of 40 cases pending against the petitioner relating to different police stations. Further it is stated that in all cases except two, the petitioner has been enlarged on bail. Be that as it may, it also appears that charge sheet has already been submitted in the case.

5. Having regard to the above fact and the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case and in case of even a single default, the Court below shall pass appropriate orders to take him to custody again. Further he shall appear before the IIC of Markatnagar Police Station once in every fortnight for a period of six months and such fact shall be certified by the IIC to the concerned Court once in every month.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

