

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.906 of 2022

Bicky @ Subrat Naik

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
04.02.2022

01.

1. This matter is taken up through virtual mode.

2. The Petitioner apprehending his arrest in Banarpal P.S. Case No.387 of 2021, corresponding to G.R. Case No.1153 of 2021, pending in the Court of J.M.F.C., Banarpal, registered for alleged commission of offences punishable under Sections 341, 294, 323, 506, 379 read with Section 34 of the I.P.C., has filed this petition for his release on pre-arrest bail.

3. Heard the learned counsel for the Petitioner and the learned counsel for the State.

4. Learned counsel for the State submits that charge sheet in this case has been filed.

5. Considering the facts and submissions made, especially the nature of accusation, character of incriminating materials appearing against the Petitioner, circumstances in which the offences stated to have been committed, the factum of completion of investigation and

there being no likelihood of the Petitioner absconding and/or tampering with the prosecution evidence, if released on pre-arrest bail, this Court directs that if the Petitioner surrenders before the Court in seisin over the matter within six weeks hence and makes a motion for bail, the Court in seisin over the matter shall release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper.

6. However, if the Petitioner does not surrender within the time stipulated, there is no impediment on the part of the police to take him to custody and produce in the Court executing the non-bailable warrant issued or pending against him in the aforesaid case and in that event, the court concerned shall consider his prayer on its own merit.

7. The ABLAPL is, accordingly, disposed of being allowed.

8. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.

(S. Pujahari)
Judge

DA