

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1193 of 2022

Santanu Bhusan Swain	...	Petitioner Mr. B.N. Panda-2, Advocate
	- Versus -	
State of Odisha	...	Opposite Party Mr. P. Tripathy, Addl. Standing Counsel

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
18.02.2022**

Order No.
1.

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 27.01.2022 having been arrested on the strength of NBW issued by learned S.D.J.M. Talcher in connection with Talcher P.S. Case No.399 of 2019 corresponding to G.R. Case No.1489 of 2019 pending in the Court of learned S.D.J.M., Talcher for the alleged commission of offence under Sections 120-B/465/471/473/420/379 of IPC.
4. The bail application of the petitioner being rejected by learned S.D.J.M., Talcher as well as learned Addl. Sessions Judge, Angul, he has approached this Court seeking bail.
5. It is submitted that the petitioner had earlier approached this Court in ABLAPL No.17353 of 2019, wherein liberty was granted to him to surrender before the learned S.D.J.M., Talcher and to move for bail and in the event of its rejection to

move the higher forum on the same day. It is submitted by learned counsel for the petitioner that because of certain unavoidable circumstances, the petitioner could not surrender as per liberty granted by this Court, for which NBW was issued against him. However, he undertakes to appear before the learned Court below on each date of posting of the case henceforth.

6. Considering the submissions as above and the fact that charge sheet has already been submitted in the case, 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, failing which the Court in seisin over the matter may pass appropriate orders to take him to custody again.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana