

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2212 of 2022

Kailash Ojha @ Moharana

....

Petitioner

Mr. M.M.Patnaik,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.3.2022.

Order No.

01.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 20th January, 2022, in connection with Baliapatana P.S. Case No.177(11)/1998 corresponding to G.R. Case No.3968/1998(C) pending in the court of learned J.M.F.C.(O), Bhubaneswar for the alleged commission of the offence under Sections 457/395/397 of the I.P.C. read with Section 9-B of the Indian Explosive Act.

4. It appears that the Petitioner is one of the accused in the aforesaid case. Since he had absconded for a long period, the case was split up and on the strength of N.B.W, issued against him, he was arrested. It is submitted that despite his presence in the village, Police did not take any step to arrest him, but showed him as an absconder. However, he undertakes to cooperate with the trial.

5. Having regard to the above submissions, the materials on record, the period of detention in custody and the undertaking of the Petitioner, I am inclined to allow the prayer for bail.

6. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case, failing which appropriate orders shall be issued against him to take him to custody again.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

