

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2718 of 2022

Sarbeswar Behera

....

Petitioner

Mr. P.R. Singh, Advocate

- Versus -

State of Odisha

.... Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

18.04.2022

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 11.02.2022 in connection with Baselisahi P.S. Case No.26 of 2022 corresponding to G.R. Case No.313 of 2022 pending in the Court of learned S.D.J.M., Puri for the alleged commission of offence under Sections 399/402/332/294/353/506/307 of IPC read with Sections 3 & 5 of E & S Act.
4. The allegation is that the present petitioner and some other persons were preparing to commit dacoity from the tourists as well as local people of Puri, but when the staff of Baselisahi Police Station arrived at the spot, the culprits hurled a bomb towards them and also threatened them with dire consequences. While two persons fled away from the spot, two were apprehended including the present petitioner from whom a live bomb, an iron sword, one iron rod and lathi were seized.

5. Having regard to the submissions and the fact that two of the co-accused persons have already been released on bail by learned Court below as submitted by learned counsel for the petitioner and the bail application of the petitioner was rejected only because of his criminal antecedents, 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 without fail 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 Baselisahi Police Station on every Monday at 10.30 a.m. for a period of six months.
6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana