

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 3391 OF 2022

Sisir @ Manoranjan Behera

..... ***Petitioner***
Mr.A.S.Paul, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr. K.K.Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.07.2022

Order No.
02.

1. This matter is taken up through Hybrid Mode.
2. There is no appearance on behalf of the informant, when the matter is called.
3. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The Petitioner is an accused in connection with G.R. Case No.114 of 2022 arising out of Khurdha P.S. Case No. 38 of 2022 on the file of learned SDJM, Khurda, registered for the alleged commission of offence under Sections 341/323/307 of the I.P.C.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned 2nd Addl. Sessions Judge, Khurda by order dated 13.04.2022, the present BLAPL has been filed. The petitioner is stated to be in custody since 2.03.2022.
5. Learned counsel for the petitioner submits that taking into account the period of custody, further detention of the petitioner would be punitive.

6. Learned counsel for the State submits that he has no instruction as to the stage of the investigation .The bail application should not be considered at this point of time.

7. Taking into account the nature of allegation and the submission of the learned counsel for the petitioner that he has no criminal proclivity, this Court directs that the petitioner shall be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. While so releasing by the learned court in seisin over the matter to check the veracity of the submission of the learned counsel for the petitioner regarding the criminal proclivity. If it comes to the fore that the petitioner has any criminal proclivity, the present order shall stands recalled.

9. Additionally it is directed that the petitioner shall appear in the local Police Station once every seven days till submission of the Final Form. First date and time to be fixed by the learned court in seisin over the matter. Violation of such appearance shall entail cancellation of bail.

10. Accordingly, the BLAPL stands disposed of.

11. Issue urgent certified copy of this order as per Rules.

(V.Narasingh)
Judge

Dhal