

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4076 of 2022

Bijay Kumar Khatoai @ Kundura **Petitioner**
Mr. S.N. Mishra, Advocate
- Versus -
State of Odisha **Opp. Party**

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
05.09.2022

Order No.
04.

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. As directed, learned Court below has submitted a report stating that the case is posted to 03.09.2022 for consideration of charge.
4. The petitioner is in custody since 16.02.2021 in connection with Nimapara P.S. Case No.227 of 2020 corresponding to G.R. Case No.587 of 2020 pending in the file of learned Addl. Sessions Judge, Nimapara in S.T. Case No.12 of 2022 for the alleged commission of offence under Sections 394 of IPC.
5. It is alleged that the petitioner and three other persons came in two motorcycles after covering their faces and took away cash of Rs.2 lakhs 35 thousand and a mobile phone from the informant by threatening him with a billhook (*katari*). The petitioner appears to have been remanded in this case on the basis of the statement of the co-accused. Nothing was recovered from him. No T.I. parade was held to establish the identity of the culprits. Charge sheet has in the meantime been submitted.

6. Taking into account all the above facts and the period of detention in custody, 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. Further, he shall appear before the IIC of Nimapara P.S. on every Sunday till conclusion of trial and such fact shall be certified by the IIC to the concerned court once in a month.
7. BLAPL is accordingly disposed of.
8. Issue urgent certified copy as per rules.

A.K. Rana



(Sashikanta Mishra)
Judge