

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4693 of 2022

Gandu @ Prahalad Sethy

....

Petitioner

Mr. D.K. Sahoo, Advocate

- Versus -

State of Odisha

.... Opposite Party

Mr. S. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.07.2022

Order No.

2.

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 22.04.2022 in connection with Nikirai P.S. Case No.44 of 2022 corresponding to G.R. Case No.710 of 2022 pending in the Court of learned S.D.J.M., Kendrapara for the alleged commission of offence under Sections 457/380/120-B/34 of IPC.
4. It is alleged that the petitioner being associated with two other persons committed theft in the house of the informant and took away several gold and silver ornaments and other articles.
5. It is submitted that the stolen articles have been seized from the petitioner. The co-accused persons have already been released on bail as per order passed by learned Court below, but the petitioner's bail application was rejected only because of his criminal antecedents. It is submitted that all the cases against the petitioner relate to the years 2011, 2013 and 2016 and in all such cases he has been released on bail.

6. Considering the submissions, materials on record, the period of detention in custody 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 without fail. Further he shall appear before the IIC of Nikirai Police Station on every Monday at 10 a.m. for a period of six months 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.

(Sashikanta Mishra)
Judge

A.K. Rana

