IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4827 of 2022

Aju @ Ajaya Kumar Pradhan … **Petitioner**

Mr. S.K. Baral, Advocate

- Versus -

State of Odisha … **Opposite Party**

Mr. M. Mishra, Addl. Standing Counsel,

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
29.09.2022

Order No.
3.

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 21.09.2021 in connection with Kiakata P.S. Case No.09 of 2020 corresponding to G.R. Case No.93 of 2020 pending in the Court of learned S.D.J.M., Athmallik for the alleged commission of offence under Sections 395 of IPC.

4. It is submitted that even though the FIR speaks of commission of the alleged crime by four persons, the police have forwarded the accused persons under Section 395 of IPC by taking the petitioner on remand, who was arrested in connection with another case. It is further submitted that there is no independent materials to show the complicity of the petitioner in the alleged occurrence and that he has been implicated solely on the basis of the statement of the co-accused.

5. Learned Addl. Standing Counsel opposes the prayer for bail by submitting that the petitioner has several criminal antecedents.

6. Having considered the submissions, the materials on record, the period of detention already undergone and the fact that the petitioner appears to have been implicated in the case on the basis of the statement of the co-accused, 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 IIC, Narasinghpur P.S. on every Sunday at 10.30 A.M. till submission of final form.

7. BLAPL is accordingly disposed of.

(Sashikanta Mishra)
Judge

A.K. Rana