

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4998 of 2022

Barla @ Bala @ Suresh Gajendra

....

Petitioner

Mr. S.K. Lenka, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

27.06.2022

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 31.01.2022 in connection with Darghabazar P.S. Case No.13 of 2022 corresponding to G.R. Case No.138 of 2022 pending in the Court of learned S.D.J.M.(S), Cuttack for the alleged commission of offence under Sections 394 of IPC read with Section 25 and 27 of Arms Act.
4. It is alleged that the petitioner and some other persons attempted to take away the bike of the informant by threatening him on the point of pistol. The petitioner was correctly identified in T.I. Parade. Learned Court below rejected the bail application mainly on the ground that the petitioner has several criminal antecedents. It appears that the co-accused Dipu @ Ajit Kar @ Asit Kumar Kar has been released on bail as per the order passed by this Court in BLAPL No.2415 of 2022. The petitioner stands more or less on the same footing as the co-accused person, who has been released on bail.

5. Considering the above facts and the period of detention of the petitioner 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 Court in seisin over the matter 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 Dargha Bazar Police Station once in a fortnight for a period of one year and such fact shall be certified by the IIC to the concerned Court once in a month.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

