

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4227 of 2021

Budhia@Sarat Sethi

....

Petitioner

*Mr. Smruti Ranjan Rout,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

08.08.2022

Order No.

7.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 11.12.2020 in connection with Choudwar P.S. Case No. 594 of 2020 corresponding to G.R. Case No. 2825 of 2020 pending in the court of learned J.M.F.C.(R), Cuttack for the alleged commission of offence under Sections 25(1-A)/25(1-AA) of Arms Act.
4. It is alleged that one Babua Behera and one Pinku@Sanjay Panda were coming on a motorcycle when they were apprehended by police. While the said Pinku@Sanjay Panda fled away, Babua Behera was apprehended at the spot. Basing on the statement of said Babua, the petitioner's complicity came to light and thereafter seizure of a pistol and live ammunitions was made from him. It is further alleged that the petitioner is a history-sheeter being involved

with gangsters.

5. Learned counsel for the petitioner submits that Babua@Prakash Behera has in the meantime been released on bail as per order passed by this Court in BLAPL No. 8117 of 2021. Further, another co-accused, namely, Tukuna Swain has also been released on bail as per order passed by this in BLAPL No. 7315 of 2021.

6. Considering the submissions as above, the materials on record 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:-

(i) He shall appear before the IIC of Choudwar police station on every Sunday between 9.00 A.M. to 4.00 P.M. for a period of six months.

(ii) He shall appear before the Court in seisin over the matter on each date of posting of the case and in case of even a single default NBW, shall be issued to take him into custody again.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge