

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5204 of 2022

Basudev Nayak

....

Petitioner

Mr. S.K.Bhanjadeo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. D. Biswal,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.6.2022.

Order No.

01.

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 5th May, 2022 in connection with Banpur P.S. Case No.155/2022 corresponding to G.R. Case No.136/2022 pending in the court of learned J.M.F.C., Banpur for the alleged commission of the offence under Sections 395 of I.P.C.
4. It is alleged that the Petitioner and some other persons committed theft of Rs.12,500/-, a motorcycle, mobile phone and a printer from the informant and his associate by showing

them a bhujali and gun. It is submitted that no incriminating article was seized from the possession of the Petitioner. Further he was not identified by any of the witnesses in the T.I. parade.

5. Considering the submissions as above, the materials on record 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 may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge