

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 5535 of 2022**

***Rakesh Kumar Bal***

....

***Petitioner***

Mr. A. Hota , Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**29.07.2022**

**Order No.**

**02.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.1179 of 2021, on the files of learned JMFC, Banarpal, arising out of Banarpal P.S. Case No.399 of 2021 under Sections 394 of IPC read with Section 25 and 27 of the Arms Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Judge (Vigilance), Angul, by order dated 07.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the basis of implication is on account of the statement made by the co-accused Tentu@ Sunil Naik, who was taken into account custody in connection with another case.
6. It is also submitted with vehemence that there being no seizure from the petitioner and charge sheet having been filed in the

meanwhile further continuance of the petitioner, on the basis of accusations as made in the case at hand, shall be punitive in nature.

7. Learned counsel for the State per contra submits that the petitioner has one criminal antecedent and releasing him at this stage is not warranted.

8. Taking into account the filing of the charge sheet and the basis of implication, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Additionally it is directed that petitioner shall appear before the jurisdictional Police Station once in every week till the conclusion of trial. Certification of such appearance shall be sent to the Court in seisin over the matter and violation thereof shall entail the cancelation.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)  
**Judge**

*Santoshi*