

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 6001 OF 2022

SK Sukar @ Suka & another

.....

Petitioners

Mr.A.K.Jena, Adv.

-versus-

State of Odisha

.....

Opposite Party

Mr. A.Pradhan, ASC

CORAM:

JUSTICE V. NARASINGH

ORDER

21.07.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. The Petitioners are accused in connection with G.R. Case No. 83 of 2022 arising out of Fategarh P.S. Case No. 84 of 2022 pending on the file of learned JMFC, Bhapur, registered for the alleged commission of offence under Sections 457/380 of the I.P.C.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Asst. Sessions Judge, Khandapara by order dated 13.06.2022, the present BLAPL has been filed.
5. Taking into account the criminal proclivity of the Petitioner No.1, this Court is not inclined to entertain this application at this stage, same accordingly stands rejected.
6. Keeping in view the nature of allegation and the period of custody, this Court directs that the petitioner No.2-SK Juma, shall be released on bail on such terms to be fixed by the learned court in seisin

over the matter. It is submitted by the learned counsel for the petitioners that the petitioner No.2 has no criminal proclivity.

6. While so releasing by the learned court in seisin over the matter to check the veracity of the submission of the learned counsel for the petitioner regarding the criminal proclivity. If it comes to the fore that the petitioner No.2 has any criminal proclivity, the present order shall stand recalled.

7. Additionally it is directed that the petitioner No.2 shall appear in the local Police Station once every seven days till submission of the FOR. First date and time shall be fixed by the learned court in seisin over the matter. Violation of such stipulation shall entail cancellation of bail.

8. Accordingly, the BLAPL stands disposed of.

9. Issue urgent certified copy of this order as per Rules.

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