

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5167 OF 2021

Bapi @ Bapina Bhoi @Sanjib

***..... Petitioner
Mr. Mahes Das, Adv.***

-versus-

State of Odisha

***..... Opposite Party
Mr. Karunakar Nayak, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
14.03.2022**

Order No.

04.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 721 of 2019 arising out of Nimapara P.S. Case No. 304 of 2019, on the file of learned J.M.F.C., Nimapara, for the alleged commission of offence under Sections-395 of the I.P.C and Sections 25/27 of the Arms Act. and is in custody since 19.01.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge, Nimapara by order dtd. 04.05.2021 in B.A. No. 164 of 2021, the present BLAPL has been filed.
4. Heard learned counsel for the petitioner and learned counsel for the State.

5. It is submitted on behalf of the petitioner that the petitioner is inside custody since 19.01.2021 and taking advantage of his criminal antecedents, he has been falsely entangled in this case. It is also submitted that no incriminating material has been recovered from the possession of the petitioner nor any test identification parade has been conducted.

6. After hearing learned counsel for the State and considering the materials brought against the petitioner in course of investigation, it is directed to release the petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned Court below in seisin over the matter including the condition that he shall not be involved in any other offence while on bail and the petitioner shall appear before the I.I.C., Nimapara P.S. once in each week till conclusion of trial.

6. The BLAPL thus stands disposed of.

7. Urgent certified copy of this order be granted as per rules.

Balaram

*(V.Narasingh)
Judge*