

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6289 of 2022

Abhi @ Abhimanyu Nayak ***Petitioner***

Mr. P. Dasmohapatra, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.09.2022

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 accused in G.R. Case No.506 of 2022, pending in the Court of the learned J.M.F.C., Banarpal, arising out of Angul Sadar P.S. Case No.372 of 2022, for alleged commission of offences under Sections 341/294/323/324/307/379/506/34 of IPC.
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 28.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner, relying on the release of the co-accused by order dated 05.07.2022

in ABLAPL No.Nos.6355 & 6379 of 2022, the petitioner may be released on bail.

6. Learned counsel for the State on the basis of recitals in the Case Diary, brings to the notice of the Court that there has been recovery of the weapon of offence in terms of the statement under Section 27 of the Evidence Act and the petitioner has nine antecedents of similar and grievous in nature.

7. Taking into account the criminal proclivity of the petitioner, since the matter is at the stage of investigation, this Court is **not inclined** to entertain this bail application of the petitioner at this stage.

8. The petitioner is at liberty to move the learned Court in seisin over the matter after conclusion of investigation and if such application is made, the same shall be considered on its own merit without being prejudiced by the earlier rejection or the order passed by this Court.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha