

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6457 of 2022

***Brahmachari @ Vaishnab Puri
@ T. Sambhunath Subudhi @
Tejomaya Swaroop***

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
09.09.2022**

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 an accused in G.R. Case No.1236 of 2022, pending in the file of learned JMFC(R), Cuttack, arising out of Kissanangar P.S. Case No.77 of 2022, offence under Sections 341/294/307/324/506 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Cuttack by order dated 21.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that in the meanwhile charge sheet has already been filed on 29.06.2022 and the petitioner is in custody since 18.05.2022, further

continuance of the petitioner in custody is not warranted. It submitted that the injuries have been categorized as simple; hence he seeks to be released on bail.

6. Learned counsel for the State on the basis of recitals in the Case Diary submits that petitioner has several criminal antecedents and he ought not to be released on bail.

7. Learned counsel for the petitioner on instructions submits that petitioner so far as accusation under Section 302 of IPC is concerned. The same was quashed by this Court in CRLMC No.4820 of 2015.

8. Taking note of the same and keeping in view the period of custody, 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 the petitioner shall appear before the jurisdictional police station once in every week till the conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi