

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6470 of 2022

***Naga @ tukuna @ Sahadev
Barik***

Petitioner

Mr. R.D. Mohapatra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
23.09.2022**

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 S.T. Case No.09/92 of 2017 arising out of G.R. Case No.70 of 2017 pending in the file of learned Senior Civil Judge (S.D) cum-A.S.J. Khandapada, arising out of Fategarh P.S. Case No.36 of 2017, offence under Sections 457/394/307/323/325 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 ASJ Khandapara by order dated 22.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that charge sheet has been filed on 27.02.2021 and the petitioner is in

custody since 12.11.2021, his further continuance in custody is unwarranted and also stated that trial has not commenced.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that petitioner has criminal antecedent of similar nature.

7. Perused the Case Diary and taking into account the of genesis of the offences in the case at hand, 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.

8. Keeping in view the criminal proclivity of the petitioner this Court directs him to appear before jurisdictional police station once every month till the conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi