

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6491 of 2022

MD. Akhtar

....

Petitioner

Mr. A.K. Jena, 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 G.R. Case No.154 of 2022 pending in the file of learned NGN-cum-JMFC Tangi, arising out of Nirakarpur P.S. Case No.53 of 2022, offence under Sections 395/412/414/34 of IPC and is in custody since 06.04.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Khurda by order dated 02.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that because of his criminal proclivity the petitioner has been remanded in this Case. It is further submitted that even if the entire allegations of the prosecution is accepted at its face value only a case under

Section 411 I.P.C is made out against petitioner and since charge sheet has already been submitted, further continuance of the petitioner in custody is not warranted.

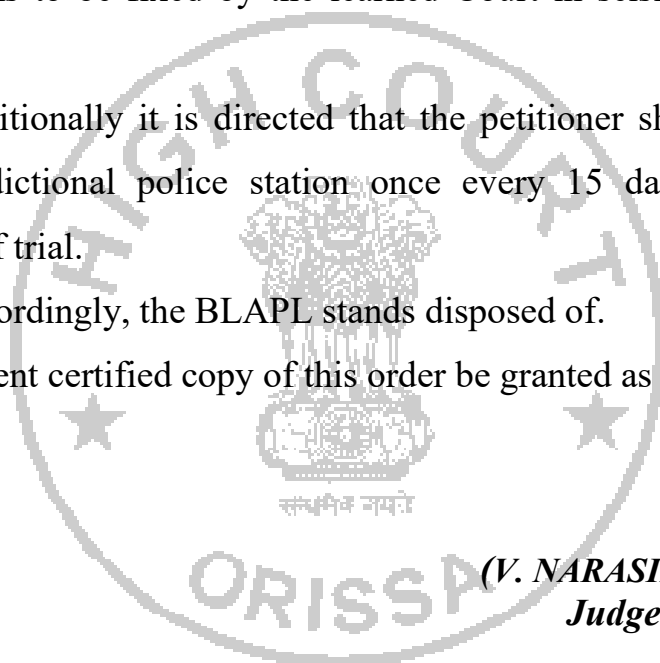
6. Learned counsel for the State opposes the prayer inter alia on the ground that the petitioner has criminal antecedents of similar nature.

7. Taking into account period of custody and filing of the charge sheet, 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. Additionally it is directed that the petitioner shall appear before jurisdictional police station once every 15 days 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