

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6512 of 2022

Papu Mallik and another

....

Petitioners

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.10.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with C.T. Case No.833 of 2022 pending on the file of learned J.M.F.C., Jajpur Road , Dist- Jajpur, arising out of Jakhapura P.S. Case No.67 of 2022, for alleged commission of offences under Sections 341/452/294/323/379/307/384/506/34 of IPC and is in custody since 29.06.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Jajpur Road by order dated 30.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused persons have been released on anticipatory by this Court

by order dated 26.07.2022 in ABLAPL No.8152 of 2022 and order dated 28.07.2022 in ABLAPL No.8425 of 2022.

6. It is stated by the learned counsel for the petitioners at the bar on instruction that final form has been submitted in the meanwhile and the petitioners are in custody since 29.06.2022. hence their further continuance in custody is not warranted.

7. Learned counsel for the State opposes the prayer for bail of the petitioners inter alia on the ground of criminal proclivity.

8. Taking into account the filing of charge sheet as stated, considering the release of the co-accused persons and the injury report of the injured, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9 Keeping in view the criminal proclivity of the petitioners, this Court directs the petitioners to appear before the jurisdictional police station once every week till conclusion of trial.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge